



## **AGENDA**

### **REGULAR CITY COMMISSION MEETING**

**MONDAY, SEPTEMBER 13, 2021, AT 6:00 P.M.**

**CITY OF ST. AUGUSTINE BEACH, 2200 A1A South, St. Augustine Beach, FL 32080**

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#### **NOTICE TO THE PUBLIC**

*THE CITY COMMISSION HAS ADOPTED THE FOLLOWING PROCEDURE: PERSONS WISHING TO SPEAK ABOUT TOPICS THAT ARE ON THE AGENDA MUST FILL OUT A SPEAKER CARD IN ADVANCE AND GIVE IT TO THE RECORDING SECRETARY. THE CARDS ARE AVAILABLE AT THE BACK OF THE MEETING ROOM. THIS PROCEDURE DOES NOT APPLY TO PERSONS WHO WANT TO SPEAK TO THE COMMISSION UNDER "PUBLIC COMMENTS."*

#### **RULES OF CIVILITY FOR PUBLIC PARTICIPATION**

1. The goal of Commission meetings is to accomplish the public's business in an environment that encourages a fair discussion and exchange of ideas without fear of personal attacks.
2. Anger, rudeness, ridicule, impatience, and lack of respect for others is unacceptable behavior. Demonstrations to support or oppose a speaker or idea, such as clapping, cheering, booing, hissing, or the use of intimidating body language are not permitted.
3. When persons refuse to abide by reasonable rules of civility and decorum or ignore repeated requests by the Mayor to finish their remarks within the time limit adopted by the City Commission, and/or who make threats of physical violence shall be removed from the meeting room by law enforcement officers, either at the Mayor's request or by an affirmative vote of a majority of the sitting Commissioners.

**"Politeness costs so little." – ABRAHAM LINCOLN**

- I. **CALL TO ORDER**
- II. **PLEDGE OF ALLEGIANCE**
- III. **ROLL CALL**
- IV. **APPROVAL OF MINUTES OF REGULAR COMMISSION MEETING ON AUGUST 11, 2021**
- V. **ADDITIONS OR DELETIONS OF THE AGENDA**
- VI. **CHANGES TO ORDER TO TOPICS ON THE AGENDA**
- VII. **PRESENTATIONS**
  - A. Green Infrastructure Model for Parkettes by Mr. Craig Thomson and Dr. Lonnie Kaczmarzsky of the Sustainability and Environmental Planning Advisory Committee
- VIII. **PUBLIC COMMENTS**
- IX. **COMMISSIONER COMMENTS**
- X. **PUBLIC HEARINGS**

1. Ordinance 21-09, Second Public Hearing and Final Reading: to Amend the Land Development Code to Have Second Public Hearing of Ordinance to Amend the Comprehensive Plan and/or Code Done by the Comprehensive Planning and Zoning Board (Presenter: Brian Law, Building Official)
2. Ordinance 21-10, First Public Hearing and Second Reading: to Amend the Land Development Regulations Concerning Home Occupations and Conditional Use Permits (Presenter: Brian Law, Building Official)

XI. CONSENT

3. Resolution 21-20, Authorizing the City Manager to Sign Grant Agreement for Funding for Ocean Walk Subdivision Resilience Improvements

XII. OLD BUSINESS

4. Recycling Service: Request for Guidance from the Commission (Presenter: Bill Tredik, Public Works Director)
5. Public Parking Improvements: Review of Recommendations from the Comprehensive Planning and Zoning Board (Presenter: Max Royle, City Manager)

XIII. NEW BUSINESS

6. Helium Balloons: Request to Ban Outdoor Release of Them (Presenter: Ms. Lana Bandy, Vice Chair of the Sustainability and Environmental Planning Advisory Committee)

XIV. STAFF COMMENTS

XV. ADJOURNMENT

**NOTICES TO THE PUBLIC**

1. **SUSTAINABILITY AND ENVIRONMENTAL PLANNING ADVISORY COMMITTEE (SEPAC).** It will hold its monthly meeting on at 6:00 p.m. on Wednesday, September 8, 2021, in the Commission meeting room at city hall.
2. **COMPREHENSIVE PLANNING AND ZONING BOARD.** It will be held its monthly meeting at 6:00 p.m. on Tuesday, September 21, 2021, in the Commission meeting room at city hall. The Board will consider the request for a variance to reduce to one foot the five-foot buffer requirement for a new office in an existing building at 301 A1A Beach Boulevard in the Anastasia Lodges subdivision.

**NOTE:**

*The agenda material containing background information for this meeting is available on a CD in pdf format upon request at the City Manager's office for a \$5 fee. Adobe Acrobat Reader will be needed to open the file.*

**NOTICES:** In accordance with Florida Statute 286.0105: "If any person decides to appeal any decision made by the City Commission with respect to any matter considered at this scheduled meeting or hearing, the person will need a record of the proceedings, and for such purpose the person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities act, persons needing a special accommodation to participate in this proceeding should contact the City Manager's Office not later than seven days prior to the proceeding at the address provided, or telephone 904-471-2122, or email [sabadmin@cityofsab.org](mailto:sabadmin@cityofsab.org).



## MINUTES

REGULAR CITY COMMISSION MEETING  
WEDNESDAY, AUGUST 11, 2021, AT 6:00 P.M.

CITY OF ST. AUGUSTINE BEACH, 2200 A1A South, St. Augustine Beach, FL 32080

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I. CALL TO ORDER

Mayor England called the meeting to order at 6:00 p.m.

II. PLEDGE OF ALLEGIANCE

Mayor England led the Pledge of Allegiance.

III. ROLL CALL

Present: Mayor England, Vice Mayor Samora, Commission Rumrell and Commissioner Torres.

Commissioner George was absent due to a death in the family. The Commission agreed to allow an excused absence.

Mayor England requested to have an excused absence.

Also, present were City Manager Royle, Assistant City Attorney Taylor, Police Chief Carswell, City Clerk Raddatz, Finance Director Douylliez, Building Official Law, and Public Works Director Tredik.

IV. APPROVAL OF MINUTES OF REGULAR COMMISSION MEETING ON JULY 6, 2021, AND COMMISSION BUDGET MEETING JULY 26, 2021

Mayor England asked if there were any discussions regarding the minutes. Being none, Mayor England asked for a motion.

**Motion:** to approve the Regular Commission minutes for July 6, 2021, and the Commission Budget meeting on July 26, 2021. **Moved by** Commissioner Rumrell, **Seconded by** Commissioner Torres. Motion passed unanimously.

Mayor England moved to Item V.

V. ADDITIONS OR DELETIONS OF THE AGENDA

Mayor England asked if there were any additions or deletions.

Commissioner Rumrell advised that Sarah Smith, a police officer from St. Augustine Beach, died tragically and wanted to express his condolences.

Mayor England advised that the Commission all wanted to express their deep condolences to Ms. Smith's family

City Manager Royle advised that Police Chief Goble from the Orange Park Police Department would like to be placed on the agenda. He also mentioned that there were several people in the audience who would like to hear Item 7 regarding Ocean Hammock Park Improvements and suggested moving that item up in the agenda.

Mayor England asked the Commission if they would mind hearing Item 7 after Mr. Hoey's presentation.

Commissioner Torres asked how Mr. Hoey got on the agenda for a presentation and asked to postpone the item because there is no information to give the residents at this time. He asked what the protocol was for anyone from the public to add agenda items to the Commission presentations.

Commissioner Rumrell agreed with Commissioner Torres and advised that he feels the public has a right to speak on an agenda item.

Mayor England suggested Mr. Hoey should give his presentation since he followed procedure to get on the agenda; however, she limited the public comment to two minutes and advised that no decisions have been made about the parkettes or improving parking spaces.

Vice Mayor Samora requested to move the Ocean Hammock Park, Item 7, agenda topic up in the agenda.

#### VI. CHANGES TO ORDER TO TOPICS ON THE AGENDA

Mayor England advised that Item 7 would be moved up in the agenda after the public hearings. She then moved to Item VII.A.

#### VII. PRESENTATIONS

##### A. Recognition by Police Chief Dan Carswell of Mr. Samuel Laplante's Saving of a Swimmer from Drowning

Mayor England introduced VII.A. and asked Chief Carswell to come to the podium.

Chief Carswell explained that on September 23, 2020, there was a swimmer who was in distress on the beach due to rip currents. One of the St. Augustine Beach Police Officer was trying to save the swimmer but was having difficulties. Mr. Laplante at his own risk went to help and saved the swimmer. He then presented Mr. Laplante with the Life Saving Award from the City of St. Augustine Beach and thanked him for saving the swimmer's life.

Mayor England thanked Mr. Laplante for his action and bravery.

##### **\*\*\*\* Added Presentation**

Mayor England asked Police Chief Goble from the Orange Park Police Department and the District Director of the Florida Police Chief's Association to the podium.

Police Chief Goble presented the Public / Private Partnership Operation Cooperation Award. He explained that the award is given to the Police Department and the community partners that work together to solve a police-related problem or service. He explained that Chief

Hardwick in 2017 tasked Officer Cline to manage a K-9 unit for the City of St. Augustine Beach. Later that year, Kilo was sworn in as an officer. Debbie Johnson and Chief Hardwick worked together to get the best equipment and training for Kilo. He explained that the K-9 unit has been combatting the war on drugs which impacts the community. He commented that K-9 United had a 5K run that earned \$14,000 and purchased a heat alarm and medicine kit for Kilo. He explained that Officer Cline's vehicle air conditioner malfunctioned, and the heat alarm advised Officer Cline that Kilo was in trouble. Officer Cline realized that Kilo was endanger and got him out of the vehicle before Kilo died.

Kathi Harrell from St. Johns County Sheriff's Office accepted the award for Debbie Johnson who was unable to attend.

**B. St. Augustine's Mobility Plan by Mr. Reuben Franklin, St. Augustine Public Works Director**

Mayor England introduced Item VII.B. and asked Mr. Franklin, St. Augustine Public Works Director to come to the podium.

Mr. Franklin, Public Works Director for St. Augustine, showed a PowerPoint presentation on the adopted City of St. Augustine's executive summary of the mobility plan (Exhibit 1) and advised that he would like to show some areas that the City of St. Augustine could work with the City of St. Augustine Beach on. He advised that this plan is to enhance the residents' lives by reducing congestion and making it easier to walk and bike to destinations within city limits. He explained there are four parts to the mobility plan. He explained that the City of St. Augustine is trying to build parking on the periphery of the city with transit circulators for people to use. He mentioned that the City of St. Augustine would like to use shared parking environments with businesses who close their business after 5:00 p.m. to be able to use their parking lot. He suggested to remove the minimum parking requirements from the business and allow them to redevelop parking facilities.

Mayor England advised that she and staff would like to be present on the share parking discussions and suggested aerial transit between the City of St. Augustine, City of St. Augustine Beach, and the City of Jacksonville in the future.

Mr. Franklin advised that he put an aerial transit on the mobility plan for the future.

Discussion ensued regarding the City of St. Augustine working on modifying the Bridge of Lions on the west side and prioritizing the transit to jump the que so they could cross the bridge sooner, but because of historic preservation community, it was not a popular idea; using the City of St. Augustine Beach's city hall parking lot during events and holidays for shuttles; using golf carts instead of cars to visit St. Augustine and St. Augustine Beach; the North Florida Transportation Planning Organization helps with funding studies, but not implementation; and River to Sea Trail survey is not finalized, but the City of St. Augustine is working on its completion.

Vice Mayor Samora asked about the circulators for parking whether the circulators to parking would be a private / public partnership.

Mr. Franklin explained that it would be easier to contract it out. He advised that he has been talking with Jacksonville Transportation Authority to see if they would be interested in

running it for the City of St. Augustine. He is hopeful that more funding will come from Florida Department of Transportation for a city-to-city circulator plan. He explained that it would have to be branded as a link between the two cities.

Commissioner Rumrell advised that a dedicated bus loop would be helpful to drop people off at the pier to eliminate parking issues and whether the City of St. Augustine would agree to have a memorandum of understanding between the two cities.

Mr. Franklin advised that St. Johns County and the City of St. Augustine may be able to utilize the circulator. He explained that people going to the beach with all their chairs, drinks, etc. are different than those going shopping and that may cause problems loading onto a bus, but he would be open to ideas.

Commissioner Torres thanked Mr. Franklin for his presentation and thanked him for thinking ahead for the combined needs for both cities.

Mayor England asked to keep the City of St. Augustine Beach involved with decision making because of the tourism in our city.

Mayor England opened the Public Comments section. The following addressed the Commission:

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, advised that the shuttle should run in the loop and the city should demand the funding from the Tourist Development Council from bed taxes to pay for it. He explained that it takes two buses to get to the City of St. Augustine Beach from the City of St. Augustine.

Mayor England closed the Public Comments and moved to Item VII.C.

#### C. Planning for Public Parking by City Resident, Mr. Kevin Hoey

Mayor England introduced Item VII.C. and asked city resident Mr. Kevin Hoey to the podium.

Mr. Hoey, 1657 Makarios Drive, St. Augustine Beach, FL, explained that he was a concern citizen and advised that the Commission has identified 162 parking spaces and their locations. He explained 139 parking spaces are green or open spaces. He advised that people crossing A1A Beach Boulevard to go to restaurants or shopping will cause more congestion, the slowing of traffic, and safety concerns. He commented that they have more than 1400 signatures in a petition form from the residents who do not want the additional parking. He explained that the residents are concerned about green open spaces being used for parking and showed Exhibit 2, a picture of Best Western Hotel, to prove his point. He showed the green space in front of the hotel and asked why the Commission wants to add 29 parking spaces where the green space is in front of the hotel. He asked the Commission not to move forward with this project. He agreed with the parking projects on A Street and 1<sup>st</sup> Street. He asked the Commission to protect the character, charm, and safety of the citizens of St. Augustine Beach. He explained that the traffic would cause more accidents and advised that this parking plan would not help with the number of tourists coming to the area based on the growth in St. Johns County and would eliminate the green spaces. He commented that parking is a complex issue and should be reviewed with different approaches, such as, how to manage the growth of St. Johns County population while maintaining the green open spaces, quality of life, and safety for the citizens.

Commissioner Torres advised that the Commission was discussing enhancing A1A Beach Boulevard and A Street by placing parking spaces where people are already parking, not to destroy any green space. He explained that Commissioner George was very clear at the last Commission meeting that the Commission was only talking about spaces where people are currently parking.

Mayor England opened the Public Comments section. The following addressed the Commission:

Laurel Dean, 205 A Street, St. Augustine Beach, FL, handed in several petitions (Exhibit 3) for the numbered streets and alphabetical streets. She advised that the parkettes do not belong to the City but are residential common elements to the neighborhoods. She disagreed with putting parking spaces at Ocean Hammock Park.

Tamra Rushing, 848 Ocean Palm Way, St. Augustine Beach, FL, she advised that the Commission approved the budget at the last meeting with the parking improvements in the budget.

Mayor England advised that the primarily budget has not been approved and the Commission will hold future meetings on the budget.

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, reminded the Commission that parking means access to the beach and beach renourishment funding and suggested to purchase every open lot on the Boulevard for parking. He did not agree with residents blocking off the public rights-of-way so no one can park.

Beth Pelzer, 461 Ocean Grove Circle, St. Augustine Beach, FL, advised all the parking spaces on A1A Beach Boulevard will not improve the problem; concerned over safety because she saw a man climbing over her fence at 10:00 a.m.; gates are not being locked at dusk and reopened at 8:00 a.m.; gates are not high enough and are falling off at Ocean Hammock Park on the beach; and ticket people who do not come back to take their cars out of Ocean Hammock Park on time.

Amy Capp, 410 B Street, St. Augustine Beach, FL, explained that she and her neighbors are against any of the parkettes being removed for parking. She explained that she does not want more people on the beach.

Tamra Rushing, 848 Ocean Palm Way, St. Augustine Beach, FL, advised that she gave comments to the Commission to read at their leisure (Exhibit 4). She commented that the parking plan of 162 improved parking spaces that was approved by the Commission has 139 that are green spaces. She advised that the people in the audience are doing their due diligence and the Commission is not reading the material. She asked who the Commission is working for.

Mayor England closed the Public Comments section and moved to Item VIII.

## VIII. PUBLIC COMMENTS

Mayor England opened the Public Comments Section. The following addressed the Commission:

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, thanked the Commission for allowing the public comments when they usually are not allowed and for the access they have through e-mail and phone calls. He explained that the COLA this year should be 5.4% and employees should be paid at least \$20 an hour; and employees deserve a raise.

Robert Langston, 673 Ocean Palm Way, St. Augustine Beach, FL, read a speech into the record (Exhibit 5).

Ray Hammel, 13 Bermuda Run Way, St. Augustine Beach, FL, thanked the St. Augustine Beach Police Department for solving the hostile situation on July 31<sup>st</sup>. He stated that his community is very concerned about Ocean Hammock Park's additional parking. He advised that it invites more people to the park because the police usually cannot stop crime before it is committed. He asked the Commission to have safety as their highest priority.

Mayor England closed the Public Comments and moved to Item IX.

IX. COMMISSIONER COMMENTS

Mayor England asked the Commission for any comments. Being none, Mayor England moved on to Item 1.

X. PUBLIC HEARINGS

1. Ordinance 21-07, Second Public Hearing and Final Reading, to Provide Addition to Prohibited Uses in Section 3.02.03 of the Land Development Code (Presenter: Lex Taylor, City Attorney)

Mayor England introduced Item 1 and asked City Attorney Taylor for a staff report.

City Attorney Taylor advised the City is looking to keep drug rehab out of certain areas of the City. He explained that this has gone to the Comprehensive Planning and Zoning Board and there have been no changes since last reading.

Mayor England opened the Public Hearing. Being none, Mayor England closed the Public Hearing and asked City Attorney Taylor to read the title of the ordinance.

City Attorney read the title of the ordinance.

Mayor England asked for a motion.

**Motion:** to approve Ordinance 21-07 as read. **Moved by** Commissioner Torres, **Seconded by** Vice Mayor Samora. Motion passed unanimously.

Mayor England moved on to Item 2.

2. Ordinance 21-08, Public Hearing and Final Reading: to Amend Chapter 16 (Police Department) of the General City Code to Delete Obsolete Provisions (Presenter: Lex Taylor, City Attorney)

Mayor England introduced Item 2 and asked City Attorney Taylor for a staff report.

City Attorney Taylor had no changes to Ordinance 21-08.

Mayor England opened the Public Hearing. Being none, Mayor England closed the Public Hearing and asked City Attorney Taylor to read the title of the ordinance.



City Attorney Taylor read the title of Ordinance 21-08.

Mayor England asked for a motion.

**Motion:** to approve 21-08 as read. **Moved by** Commissioner Rumrell, **Seconded by** Vice Mayor Samora. Motion passed unanimously.

Mayor England requested to place a revision date in the Police Department's policies and procedures manual.

Mayor England moved on to Item 3.

3. Ordinance 21-09, First Public Hearing and Second Reading: to Amend the Land Development Code to Have First Public Hearing of Ordinance to Amend the Comprehensive Plan and/or Code Done by Comprehensive Planning and Zoning Board (Presenter: Brian Law, Building Official)

Mayor England introduced Item 3 and asked City Manager Royle to give a synopsis of the procedure that the Commission and the Comprehensive Planning and Zoning Board would be following.

City Manager Royle explained that the Land Development Regulations required two public hearings by the City Commission. He advised that the Comprehensive Planning and Zoning Board does a preview of each amendment before the Commission reviews and adopts the ordinance. He explained now, one public hearing will be done by the Comprehensive Planning and Zoning Board and then the final adoption would be done by the City Commission. It would make the procedures less cumbersome.

Mayor England advised that once the Comprehensive Planning and Zoning Board approves and makes changes to the ordinance, it comes to the Commission where we could make changes and then adopt it.

City Attorney Taylor pointed out that a discussion by the Commission would be done prior to the Comprehensive Planning and Zoning Board approving the first public hearing.

Mayor England asked the City Commission if they had any questions. Being none, Mayor England opened the Public Hearing. The following addressed the Commission:

Bill Pelzer, 461 Ocean Grove Circle, St. Augustine Beach, FL, agreed with streamlining meetings; however, felt that the Comprehensive Planning and Zoning Board was only an advisory authority and approval should be done by the Commission instead of an advisory authority for Land Development Regulations since there could be so many consequences from the approvals.

Mayor England closed the Public Hearing and asked for any further Commission discussion.

Mayor says that there is plenty of opportunities for public comments at the public hearings.

City Attorney Taylor read the title of Ordinance 21-09.

Mayor England asked for a motion.

**Motion:** to approve Ordinance 21-09 as read. **Moved by** Commissioner Torres, **Seconded by** Mayor England. Motion passed 3 to 1, with Commissioner Rumrell opposing.

Mayor England moved on to Item 7.

#### XI. CONSENT

4. Resolutions: a) 21-24 to Amend the City Commission's Policies and Procedures Manual for Use of City Meeting Room by Public; b) 21-25, to Adopt the Updated City Commission Policies and Procedures Manual; and c) 21-26, to Adopt the Safety and Risk Management Manual

City Clerk Raddatz requested to pull Resolutions 21-24 and 21-25 from the agenda.

The Commission agreed.

Mayor England requested a motion for Resolution 21-26.

**Motion:** to approve Resolution 21-26 as read. **Moved by** Commissioner Rumrell, **Seconded by** Mayor England. Motion passed unanimously.

5. Resolution 21-29, to Authorize the City Manager to Sign the State Highway Lighting Maintenance and Compensation Agreement with the Florida Department of Transportation

Mayor England asked for a motion for Resolution 21-29.

**Motion:** to approve Resolution 21-29. **Moved by** Commissioner Rumrell, **Seconded by** Commissioner Torres. Motion passed unanimously.

Mayor England moved on to Item 6.

#### XII. OLD BUSINESS

6. Light Up the Beach for City's New Year's Eve 2021 Special Event: Update Report (Presenter: Ms. Melinda Conlon, Events and Communications Coordinator)

Mayor England introduced Item 6 and asked Communications and Event Coordinator Conlon to come to the podium.

Communications and Event Coordinator Conlon advised that the New Year's Eve event will have fireworks, but no vendors at Pier Park. She explained that she is working with local businesses to get funding for the event and promoting businesses down the Boulevard by businesses hosting artists. Staff is meeting monthly to discuss transportation, funding, etc.

Discussion ensued regarding the art walks; lighting down A1A Beach Boulevard; avoiding dark spots along the Boulevard; and being careful of lighting during turtle season.

Commissioner Rumrell thanked Ms. Conlon and advised that she is doing a great job.

Mayor England opened the Public Comments section. The following addressed the Commission:

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, asked if staff could put white lights on the branches of the trees.

Mayor England closed the Public Comments section and asked if there were any further Commission discussion.

Mayor England moved to Item 8.

7. Ocean Hammock Park: Review of Plan for Improvements (Presenter: Bill Tredik, Public Works Director)

Mayor England introduced Item 7 and asked for a staff report from Public Works Director Tredik.

Public Works Director Tredik advised that he and Matt Lahti from Gulfstream Design LLC. would be giving a PowerPoint presentation, Exhibits 6 A-C.

Public Works Director Tredik gave the history of Ocean Hammock Park in his presentation. He explained the permitting of the park and what the City intended to use the park for. He commented that the grant the City used to purchase the park and what the requirements of that grant were. He advised that an educational program would eventually be set up with the assistance of St. Johns County. He explained the management plan and how it would need to be changed and updated.

Matt Lahti, Gulfstream Design LLC, 906 Anastasia Boulevard, St. Augustine, FL, showed his PowerPoint presentation. He explained that there was a public meeting on June 24, 2021, to explain what the management plan was and what has been done in the park. He mentioned the boardwalk and sidewalk in the trails being designed. He explained that they shifted the boardwalk 100 feet from Bermuda Run to align with the alleyway. He is proposing a six-foot fence on the boundary to offer some additional security for Bermuda Run. Some vegetation would have to be removed and there are a lot of snakes in that area. He showed the concept plans for the park.

Vice Mayor Samora liked that the fencing was pulled back and the plans increase the buffer between the trail and Bermuda Run. He liked moving the walkway to go along to the alleyway as well. He explained that the six-foot fence stops halfway through the Bermuda Run neighborhood and asked if there was another fence for Phase II in the other portion.

Public Works Director Tredik advised that it was not in Phase II design, but it could be added.

Mayor England asked if some of these changes were the result of public meetings with Sea Colony and Bermuda Run residents.

Mr. Lahti advised that they did have a meeting on June 24<sup>th</sup>.

Public Works Director Tredik continued with his presentation to show the next steps for Phase II. He explained that the fence could be paid for by impact fees. He explained that the design must be completed before the coastal grant award can be issued, which is \$60,000. The costs for the remainder of the park improvements are \$300,000 to \$400,000. He explained that Phase II should be accomplished next year. Phase III would need to have more grants to fund the continuation of the project.

Mayor England commented that when the Maratea development was being proposed, Dr. Pat Gill and others asked that this property be bought up at every Commission meeting. The City went for funding and raised funding through a half-cent millage rate and bought the first four-and-a-half acres and then the City bought another five acres.

City Manager Royle advised that eleven and a half acres was purchased and then the City bought another four-and-a-half acres.

Mayor England explained that the City received money from the Florida Communities Trust for the purchase. At the time when the money was received there were development requirements that needed to be done.

Public Works Director Tredik advised that the development requirements were the management plan.

Mayor England advised that the management plan was written in order to receive the money.

City Manager Royle advised that there was a point system on rewarding the funding. He explained that the funding is very competitive throughout the state.

Public Works Director Tredik advised that there were two grants from Florida Communities Trust. The \$4.5 million for the first purchase and \$1.5 million for the remaining four-and-a-half acres. Each grant had management development conditions. He explained that there was a FRDAP grant, and a Coastal Partnership Initiative grant for design and construction.

Mayor England asked Public Works Director Tredik what needs to be done to not give the money back.

Public Works Director Tredik advised everything he stated in the management plan unless the state is willing to change the plan. He explained that they do expect the development to be done.

Commissioner Torres asked if the management plan has reasonable expectations and asked if the staff are meeting the timelines.

Public Works Director Tredik advised that staff has been behind on the timelines because this project did not get funded. He explained that in 2019, staff applied for a grant, and it did not make the cut. He advised that he applied again this year and it did not go through again. He commented that the reason he got funding for the restrooms was because the City asked for a midsize project and not a large project.

Vice Mayor Samora asked if this information was available on the City's website.

Public Works Director Tredik advised yes. He advised that he will add the plans that Mr. Lahti gave tonight.

Vice Mayor Samora advised that staff is addressing the safety concerns with more buffered areas and fencing.

Police Chief Carswell advised that Public Works Director Tredik has already addressed the safety concerns. He explained that residents are concerned with the gates being closed and he has met with both homeowner associations regarding the issue. He advised that his staff would start

locking the gate again. He suggested replacing the gate with a better one because it is only a four-foot gate. The access is checked every night but sometimes it gets missed because of higher priority calls for service. He has met with Public Works Director Tredik and addressed all the safety concerns.

Mayor England asked about placing security cameras in the park.

Public Works Director Tredik advised that cameras will be installed around the parking lot and the restrooms.

Commissioner Rumrell advised that the public wants enhancements to be done for safety. He asked whatever enhancements could be done for Bermuda Run and Sea Colony residents should be done.

Public Works Director Tredik advised that planting is part of the development when doing this project, which would help with a buffer and safety. He mentioned that the planting could be funding by the City's tree fund.

Mayor England asked if any other safety experts from state, county agencies have been consulted.

Police Chief Carswell advised that he would reach out to some of the park and sheriff agencies regarding safety.

Mayor England opened the Public Comments section. The following addressed the Commission:

Todd Horn, 31 Bermuda Run Way, St. Augustine Beach, FL, explained that security is a concern regarding the trails because people are in the isolated areas.

Jerry Smith, 27 Bermuda Run Way, St. Augustine Beach, FL, asked where the fence would start and end.

Mr. Lahti advised the fence starts between the fifth and the sixth house.

Tamra Rushing, 848 Ocean Palm Way, St. Augustine Beach, FL, asked if the Commission could address the inconsistencies that Attorney Burnett pointed out regarding Ocean Hammock Park and the Comprehensive Plan; stated her concern regarding the restrooms and the illicit activities that occur in a secluded park and asked if the restrooms were added from the first management plan; she asked how far the Police Department patrols in the park; and asked why SEPAC has not been engaged regarding the park.

Police Chief Carswell advised that he knows that his staff does go into the park a lot but could not say how many times a day and how far in the park they go; however, they do go in the park a lot.

Mayor England advised that SEPAC could consult with the Commission at any time if they chose to.

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, explained that he would give the grant back and wants the park to remain the same. He would like the City to sell Ocean Hammock Park and purchase Ron Parker Park.

Roland Mejia, 457 Ocean Grove Circle, St. Augustine Beach, FL, asked what the fence would be for; who would monitor the cameras; and suggested to improve on the fences that are there now since

they are broken down.

Mayor England asked Mr. Mejia to speak with Public Works Director Tredik regarding his concerns.

Tim Norberg, 200 Big Magnolia Court, St. Augustine Beach, FL, advised that he is the President of the homeowners' association for Whispering Oaks. He requested more safety for the crosswalks; there have a lot of homeless people at the park; and fencing is needed for security reasons when Hammock Dunes opens.

Ray Hammel, 13 Bermuda Run Way, St. Augustine Beach, FL, advised that maintenance on the walkway of Ocean Hammock Park has not been done, so how are they going to maintain more in the park. He asked the Commission to walk halfway in the park and see the mess there.

Mayor England closed the Public Comments section and asked if this is an information topic.

City Manager Royle advised that it is an informative topic, and he wanted the Commission to know what has been done and going to be done to complete the enhancements.

Vice Mayor Samora asked to keep engaging with the public and would like to see the buffering for the two trails and to buffer to 100 feet for Phase II. He asked why there is no fencing suggested between Bermuda Run in Phase II.

Public Works Director Tredik advised that he could buffer the two trails in Phase II and advised that the fencing between Bermuda Run is not technically required; however, it is being put in for security reasons. The fence was not in Phase II because it was not put in the management plan at that time but can be added to Phase II.

Vice Mayor Samora asked for consistency in neighborhoods that back up to the same park. He asked if staff has a maintenance plan for the park.

Public Works Director Tredik advised that he does not have a formal plan yet, but he will work on that. He has made plans to maintain the restrooms as soon as they are operational. He will have staff pick up the garbage and clean the restrooms daily. The boardwalk needs handrails and maintenance. He advised that staff does clean the walkways; however, he could increase that, but it will take more staffing or more efficiencies.

Vice Mayor Samora asked for an outline of a maintenance schedule for the park to be given to the Commission. He asked about the existing boardwalk and advised that he has not seen it in the capital improvement plan for the next five years to be replaced. He asked whether to abandon the existing boardwalk and have a concrete boardwalk in the center of the park.

Public Works Director Tredik advised that there would be challenges going directly over the conservation easement. He explained that the Water District may not appreciate it, but he would check into it. He explained that there would be a lot involved in creating a different connection.

Vice Mayor Samora advised that the existing boardwalk location has been problematic and would like this discussed this year or next year before replacing it. He would like it to be in the center of the park. He asked Police Chief to also do a security plan for the park and communicate how the park is being secured.

Police Chief Carswell advised that he would take care of it.

Public Works Director Tredik advised that the pathway will be six-foot wide and six-inch thick, and the police would be able to drive their vehicle on the pathway if they needed to. He explained that it is a robust trail.

Mayor England advised it is important that the police can get out in the middle of the park. She explained that when the purchase of the property came up, it was to prevent the development of the property. She suggested putting more money into safety.

Public Works Director Tredik advised that the restrooms are a requirement in the management plan.

Mayor England moved on to Item 4.

8. Solid Waste Matters: Resolution 21-27, to Adjust the Residential Solid Waste and Recycling Non-Ad Valorem Assessment Fees; and Resolution 21-28, to Modify Commercial Solid Waste and Recycling Fees (Presenter: Bill Tredik, Public Works Director)

Mayor England introduced Item 8 and asked Finance Director Douylliez for a report.

Finance Director Douylliez gave an updated report to the Commission (Exhibit 7). She explained the three options to the Commission. She explained that the City Manager and she met with St. Johns County to discuss solid waste collection by piggybacking with the County, which is Option 2. She explained that Option 1 is what the City has currently in the budget, which would increase the residents' cost of \$126 per year. She explained that the pros for Option 1 is that recycling would be handled by City staffing. The cons would be the millage rate and non-ad valorem costs would increase and projects would have to be cut to stay within the budget. Option 2 would be going with County services and the County would be billing the residents for non-ad valorem taxes. The cons are that the City would still have to raise the millage rate, the non-ad valorem taxes would increase, very little going into the reserves, many items that are currently picked up would not be picked up under the County services, recycling would be from the Advanced Disposal like the City, and 38 percent of City staff would have to be reduced. The County will be renegotiating their disposal site contract and that could increase costs to the residents. The County would not provide commercial service pick up so the City would have to do that service. The City is providing solid waste services to residents for \$315 per year per home. She explained that if the non-ad valorem is changed to \$315 this year, the City could keep the millage rate at 2.45%. The City could put into reserves \$55,000 in this year. She advised that with Option 3 all the current projects can be done.

Mayor England asked whether the commercial clients would remain the same.

Finance Director Douylliez advised that an adjustment would have to be done, Public Works Director Tredik will explain. She explained that the commercial clients' will still be done by the City. She advised that the commercial clients would have an increase.

Mayor England asked about picking up the commercial clients recycling.

Finance Director Douylliez advised that she would research that.

Public Works Director Tredik advised that the Commission needs to pass a resolution adjusting the non-ad valorem taxes from residential and commercial clients. He explained that the Commission needs to decide on what option they want. He explained that if the Commission

selects Option 3, it would keep staff whole, would increase the non-ad valorem tax to \$315, and allows the projects budgeted to continue. He broke down the fees for Option 3: \$150 for collection, \$125 for disposal, and \$40 for recycling, which totals \$315. He explained that if the prices go up or not, it can be adjusted within the price range the Commission passed previously.

Commissioner Rumrell advised that Finance Director Douylliez and Public Works Director Tredik did a great job on this. He explained that every Commissioner wants to get more money into the reserves, which Option 3 does. He asked whether Advanced Disposal has been audited on their profits.

Finance Director Douylliez advised that she has never received a refund or rebate for the sale of commodities.

Commissioner Rumrell advised that if the City does it inhouse the City would make any profit from commodities. He understands that there is no market today, but there might be in the future.

Public Works Director Tredik advised that he would send the recycling materials to Bunnell for separation and advised that the City would have to do an educational program with the residents to only accept certain items that would not be contaminated. He advised that glass and certain plastics should not be collected.

Mayor England asked what the current contaminated rate is.

Public Works Director Tredik advised that it is high but did not know the percentage.

Mayor England asked to let her know because the Commission needs to know that.

Public Works Director Tredik advised that the recyclables would be considered contaminated because there is no market for them.

Commissioner Rumrell agrees with an educational program.

Mayor England asked whether the Commission wants to move forward on this with Commissioner George not here.

Commissioner Torres advised he did not want to have staff wait on this because they have deadlines to finish. He commented that the City is wasting their money on the contract with Advanced Disposal and the contract should be cancelled immediately. He would agree to Option 3.

Commissioner Rumrell agrees with Option 3 because the millage stays the same, Option 3 allows \$55,000 to go into reserves, and the City does not lose a department, which does the work for hurricanes. He advised that Option 3 is the only choice.

Vice Mayor Samora asked if the staff collectively have a recommendation.

Public Works Director Tredik advised Option 3 would be staff's recommendation.

City Manager Royle advised that the City cannot depend on Advanced Disposal, so he would recommend Option 3. He advised that it is better that the City controls this instead of relying on



another company.

Vice Mayor Samora asked if any more vehicles are needed before October 1<sup>st</sup> to do this.

Public Works Director Tredik advised that he would have to get the truck ordered as soon as possible. He advised that additional staff can be sought. He commented that the Public Works Department could be staff ready by October 1<sup>st</sup>, but the truck might not be here by October 1<sup>st</sup>. He advised that there could be a short-term lease on a truck until the new truck comes in.

Vice Mayor Samora asked if those additional costs been figured into the budget.

Finance Director Douylliez advised that there is a purchase of a new vehicle in the budget now. She explained that the cost of the contract goes through May and the two more employees are budgeted from May through September. She advised that terminating Advance Disposal's contract should balance the amount that the City will be paying for the employees and lease vehicle.

Mayor England asked if there would be a cost to cancel Advance Disposal's contract.

Finance Director Douylliez advised no, but the City will be saving over \$100,000 next year.

Commissioner Rumrell asked if it would be better to wait on cancelling the contract with Advance Disposal until January to give the City some time to shift the work and is there a clause to give them notice before cancelling.

City Attorney Taylor advised that the City has already put them on notice and would be terminating the contract for cause.

Finance Director Douylliez advised that Advanced Disposal was honest and said that they were not going to renew the contract, so they will not be upset in cancelling the contract with the City. They suggested to go with the County.

Mayor England advised that she would like to alert the residents that there will be no recycling between the contract being cancelled and when the City would take over service. She would like that period to be used for recycling education and marketing. She suggested getting help with the education and marketing aspect.

Discussion ensued regarding the bins and how it was more financially intelligent to keep the bins the City owns for now; how many times a month the City would collect recycling; when we should cancel the contract with Advanced Disposal; whether a break is needed between service to get people's attention; the three "R's" reduce, reuse, and recycle for the education; and using incineration for recyclables.

Mayor England opened the Public Comments section. The following addressed the Commission:

Tom Reynolds, 50 Brigantine Court, St. Augustine Beach, FL, agreed with Option 3.

Mayor England closed the Public Comments section and asked for a motion.

**Motion:** to approve the fees for residential collection, disposal, and recycling in the amount of \$150 for collection; \$125 for disposal and \$40 for recycling to a total of \$315. **Moved by** Mayor

England, **Seconded by** Commissioner Rumrell. Motion passed unanimously.

City Clerk Raddatz advised that the meeting needs to be extended.

**Motion:** to extend the meeting. **Moved by** Commissioner Rumrell, **Seconded by** Vice Mayor Samora. Motion passed unanimously.

Public Works Director Tredik advised that the Commission has in the past asked that the commercial customers pay as much or more than residential customers. He explained the two different recommendations he gave to the Commission. He advised that most of the commercial clients have more than one cart. He said that the costs can be re-evaluated as needed. He explained that it costs more to use an unauthorized container.

Discussion ensued regarding allowing for one cart to be used for mixed use properties; researching whether to change Chapter 2 in the Code of Ordinances to allow one cart for both businesses if only one cart was needed; whether to stop having staff do the billing for commercial properties; and no solid waste companies will service by hand pickups for those properties that do not have room for a dumpster.

Mayor England asked for a motion.

**Motion:** to approve the fees for commercial clients to \$6.25 for 64-gallon carts and \$9.30 for 96-gallon carts effective October 1, 2021. **Moved by** Commissioner Rumrell, **Seconded by** Mayor England. Motion passed unanimously.

Mayor England moved on to Item 9.

9. Conditional Use Permits and Home Occupations: Ordinance 21-10, First Reading, to Amend the Land Development Regulations Concerning Home Occupations and Conditional Use Permits (Presenter: Brian Law, Building Official)

Mayor England introduced Item 9 and asked Building Official Law to give his staff report.

Building Official Law explained that the Commission asked to give the Comprehensive Planning and Zoning Board more authority, which helps the Commission streamline their meetings. He classified the land use districts by C-1 for the Commission or C-2 for the Comprehensive Planning and Zoning Board. He reserved for the Commission for single-family in a commercial sector, multi-family condominiums in the commercial sector, and all group homes.

Vice Mayor Samora suggested changing C-2 to C-1 for hospitals and utility facilities in case that one day the City has those businesses. He asked who would hear cases regarding pharmacies.

Building Official Law advised that would be up to the Commission, but he would recommend C-2 for pharmacies.

The Commission agreed to have pharmacies categorized as a C-2, hospitals, and utility facilities as C-1.

Mayor England asked if the Comprehensive Planning and Zoning Board knows about the changes.

Building Official Law advised yes. They addressed this in June but have not seen the ordinance because it comes to the Commission first. He explained that page 8 was approved by the

Commission; however, it did not show up as a change so out of the abundance of caution staff is bringing it back to the Commission.

Mayor England asked how the Commission would feel changing bed and breakfasts and group homes to C-2.

Building Official Law advised that bed and breakfasts are subjected to certain requirements in the development code, such as, time periods, staffing, etc.

The Commission agreed not to change the categories.

Building Official Law advised that C-2 conditional use permits would only be seen by the Comprehensive Planning and Zoning Board. He explained that the Commission could modify any categorization with an ordinance in the future if they want to.

Vice Mayor Samora asked to change on page 7 privately owned recreation facilities, such as, golf courses, country clubs or swimming clubs to C-1.

Building Official recapped the changes.

Discussion ensued regarding whether the Commission can continue after 10:00 p.m.

City Attorney Taylor advised that if the Commission agrees unanimously, then the meeting can be extended.

**Motion:** to extend the meeting until finished or no later than 10:30. **Moved by** Mayor England, **Seconded by** Commissioner Rumrell. Motion passed unanimously.

Mayor England opened the Public Comments. Being none, Mayor England closed the Public Comments section and asked City Attorney Taylor to read the title of the ordinance.

City Attorney Taylor read the title of the ordinance.

Mayor England asked for a motion.

**Motion:** to approve Ordinance 21-10 with the changes Building Official Law read back to the Commission. **Moved by** Vice Mayor Samora, **Seconded by** Commissioner Rumrell. Motion passed unanimously.

Mayor England moved on to Item 10.

### XIII. NEW BUSINESS

10. Construction of Parking Area Along North Side of Pope Road: Request for County to Include Project in a Five-Year Plan (Presenter: Mayor England)

Mayor England introduced Item 10 and advised City Manager Royle and she met with St. Johns County to discuss moving the fire station from Pier Park. St. Johns County has revised their five-year plan to include moving the fire station to the Mosquito Control property. She explained that parking is needed and asked St. Johns County to use their rights-of-way on Pope Road for parking. St. Johns County asked for a letter requesting the change.

The Commission agreed and supported the efforts for getting parking on Pope Road.

Mayor England stated that the City Manager and she would compose a letter and attach the minutes of the discussions regarding parking on Pope Road and the residents' feedback. She would like to put pressure on St. Johns County. She advised that the City Manager will send the letter out to the Commission before it is sent to the County. She said that she would wait for Commissioner George to come back before sending the letter to the County.

Commissioner Rumrell suggested swapping the Public Works building to the Mosquito Control building and having the fire station at the Public Works building.

Mayor England advised that fire stations must be in its City's jurisdiction and how it would affect insurance rates.

Discussion ensued regarding more parking at Pier Park.

Mayor England opened the Public Comments section. Being none, Mayor England closed the Public Comments section and moved to Item XIV.

#### XIV. STAFF COMMENTS

Mayor England asked City Manager Royle if he had any comments.

City Manager Royle asked if the Commission wants to still host the North Florida League of Cities dinner at Guy Harvey Resort. He advised that he was concerned about the high infection rate with COVID-19 variant.

After discussion, the Commission agreed not to host the dinner this year.

City Manager Royle reminded the Commission that the next Commission meeting will be on September 13<sup>th</sup> at 5:01 p.m. to adopt the tentative budget and then will have the regular Commission meeting.

Public Works Director Tredik advised that he has been working on the weir project and is making progress. He commented that the new engineer will start on September 13<sup>th</sup>.

Mayor England advised that the IT staff is renovating Building C for their new offices and the Communications and Events Coordinator has moved into the old City Manager's former conference room.

Mayor England advised that the Commission was so sorry to hear of the death of the City's former police officer Sarah Smith and gave her condolences.

Finance Director Douylliez advised that she has still not heard the guidelines for American Rescue Plan Act yet and has not received any money. She explained that the state has requested a 30-day extension before sending out the funding.

Commissioner Torres asked Finance Director Douylliez to change the title for parking improvements in the budget and asked if there was a parking study that staff could give the Commission.

Building Official Law advised that not all of the members for the Comprehensive Planning and Zoning Board were in attendance at the last meeting, so they delayed their discussion regarding parking.

Commissioner Torres asked that no agenda topics be place on the agenda without backup to be discussed.

Commissioner Rumrell stated that he wants the public to know that no Commissioner wants to change green space for parking.

XV. ADJOURNMENT

Mayor England made a motion.

**Motion:** to adjourn to meeting. **Moved by** Mayor England, **Seconded by** Commissioner Rumrell. Motion passed unanimously.

Meeting was adjourned at 10:18 p.m. 10:18

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Margaret England, Mayor


Attest:

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Beverly Raddatz, City Clerk

## MEMORANDUM

**TO:** Mayor England  
Vice Mayor Samora  
Commissioner George  
Commissioner Rumrell  
Commissioner Torres

**FROM:** Max Royle, City Manager 

**DATE:** August 30, 2021

**SUBJECT:** Presentation: Green Infrastructure Model for Parkettes by Mr. Craig Thomson and Dr. Lonnie Kaczmarzsky of the Sustainability and Environmental Planning Advisory Committee

Attached from Mr. Thomson is an August 23<sup>rd</sup> email in which he explains the purpose of the presentation. As an update to that email, Mr. Thomson sent another one to the City Manager on August 27<sup>th</sup>, in which he wrote:

“I noticed there was an error referencing priority items in the last paragraph of my email of August 23<sup>rd</sup>. Item 2, the creation of an inter-departmental task force to address climate change initiatives, was addressed as item three in the last paragraph. Again this proposal seeks to create an effective structure (task force) and allow the particular concerns raised by SEPAC to be reviewed and addressed by government staff which could then reported to the commissioners in their monthly reports.”

At your meeting, Mr. Thomson and Dr. Kaczmarzsky will explain in more detail the green infrastructure model they wish to develop and for which parkettes.

As you discuss their proposal with them, the staff asks that you keep in mind the following: that whatever is proposed should not cost much to implement and should require low to no maintenance so that Public Works employees can concentrate on their key responsibilities of trash removal and maintenance of streets, drainage facilities and other parts of the City's infrastructure.

## Max Royle

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**From:** craig thomson <craigthomsonaa@mac.com>  
**Sent:** Monday, August 23, 2021 3:37 PM  
**To:** Max Royle  
**Cc:** Craig Thomson  
**Subject:** SEPAC presentation

Max

This is in response to your email of August 17 regarding the SEPAC presentation.

Lonnie and I have agreed to represent the committee in making a formal presentation and request for support.

We are hoping for feedback from the commission and staff concerning their specific interest in addressing the crisis of climate change affecting our city.

There are two aspects of our presentation. One focuses on a specific project to demonstrate environmentally sensitive initiative to control and conserve stormwater runoff and allow it to recharge our ground water resource ,

Protecting our urban tree canopy and allowing biodiversity In our green spaces.

Lonnie's presentation will explain the technical aspects of this project and SEPAC's request to allow tree fund monies to design and implement the project.

I believe you received a PDF which explains the rationale and technical aspects of the project in some detail.

My presentation will focus on the policies and procedures which our committee has asked the commission and staff to implement in reducing the impacts of climate change on our community. The committee has made great strides in researching and identifying more sustainable practices for our community.

Unfortunately due to limited funding and staff involvement very little has been implemented over the past four years.

As indicated in my previous email I will discuss three areas of concern and recommendations.

1 Sustainable Stormwater management best practices.

2 Creation of a inter-departmental task force to address climate change initiatives for our community.

3 Floodplain and land development best practices to preserve our natural environment.

Items 1 and 2 have been thoroughly discussed during our SEPAC Meetings.

Yet , we have received minimum feedback and support from staff as you are aware.

Item 3 is a proposal to enlist staff participation so as to create a feasible and effective response to the climate change threats our community is facing.

The committee will be looking for feedback from staff and the commission in order to continue our sustainability goals.

I appreciate your assistance in this matter.


Craig Thomson

Sent from my iPad



**MEMORANDUM**

**TO:** Mayor England  
Vice Mayor Samora  
Commissioner George  
Commissioner Rumrell  
Commissioner Torres

**FROM:** Max Royle, City Manager 

**DATE:** August 13, 2021

**SUBJECT:** Ordinance 21-09, Second Public Hearing and Final Reading: to Amend the Land Development Code to have First Public Hearing of an Ordinance to Change the Regulations Done by the Comprehensive Planning and Zoning Board

**INTRODUCTION**

At this time, the process of adopting an amendment to the Land Development Code is the following:

- a. An ordinance is prepared and has a first reading by the City Commission.
- b. Planning Board reviews the ordinance and makes a recommendation whether or not to adopt. The Board's review is not advertised as a public hearing.
- c. Commission holds a public hearing on the ordinance and usually passes it on second reading.
- d. Commission then holds at a different meeting a second public hearing on the ordinance and decides whether to adopt the ordinance on its third and final reading.

A suggested change to the above process is this: As an ordinance to amend the Land Development Code must be reviewed by the Planning Board in order for the Board to recommend to the Commission whether the ordinance should be adopted, the Planning Board, not the Commission, hold the first public hearing on the ordinance. Thus, the Commission's first public hearing would be replaced by the Planning Board's public hearing. The Commission's public hearing would be held when the ordinance is scheduled for final reading.

For your July 6<sup>th</sup> meeting, the City Attorney prepared an ordinance for you to review. From that discussion, he included in the Ordinance, 21-09, the provision that the Comprehensive Planning and Zoning Board is also to hold the first public hearing for amendments to the Land Development Regulations. You then passed Ordinance 21-09 on first reading.

The Ordinance was reviewed by the Planning Board at its July 20<sup>th</sup> meeting and the Board recommended that you approve the ordinance.

The Board's motion and vote is stated in the attached memo (page 5) from the Building Department's Executive Assistant, Ms. Bonnie Miller.

You held the first public hearing on Ordinance 21-09 at your August 11<sup>th</sup> meeting, when you passed it on second reading.

The Ordinance is scheduled for its second public hearing and final reading at your September 13<sup>th</sup> meeting.

ACTION REQUESTED

It is that you hold the second public hearing and pass Ordinance 21-09 on its third and final reading.

**ORDINANCE NO. 21-\_\_**

**AN ORDINANCE OF THE CITY OF SAINT AUGUSTINE BEACH, FLORIDA, MAKING FINDINGS OF FACT; AMENDING LAND DEVELOPMENT REGULATIONS OF ARTICLE 12 PROCEDURES FOR AMENDING THE COMPREHENSIVE ZONING PLAN AND CHANGES TO THE LAND DEVELOPMENT CODE FOR THE CITY OF SAINT AUGUSTINE BEACH, FLORIDA; AUTHORIZING RECORDING OF A CERTIFIED COPY OF THIS ORDINANCE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.**

**WITNESSETH:**

**WHEREAS**, the City Commission finds that it is in the best interests of the citizens of Saint Augustine Beach, Florida to follow the requirements of Fla. Stat. 163.3225 which provides for two public hearings on a Land Development Regulation, but allows the Comprehensive Planning and Zoning Board to do the first public hearing and the second final public hearing to be done by the City Commission;

**WHEREAS**, Fla. Stat. 163.3225 currently reads, "Public hearings. — (1) Before entering into, amending, or revoking a development agreement, a local government shall conduct at least two public hearings. At the option of the governing body, one of the public hearings may be held by the local planning agency." This statute has not been amended since 1986.

**WHEREAS**, the City has a Planning and Zoning Board which routinely reviews changes to land development and land use matters within the City;

**WHEREAS**, the City seeks to streamline the processes and agenda items and delegate authority to the Planning and Zoning Board;

**WHEREAS**, the purposes of this article are to establish uniform procedures for the application to the City which comply with Florida Law.

**NOW THEREFORE BE IT ORDAINED BY THE PEOPLE OF THE CITY OF SAINT AUGUSTINE BEACH:**

**SECTION 1.** The foregoing recitals are incorporated as legislative findings of fact.

**SECTION 2.** Amend Chapter 12 of the City's Land Development Code as follows:

**Sec. 12.05.00. Procedure for amending this Code of the comprehensive plan.**

**Sec. 12.05.01. State law controlling.**

The procedures in this section 12.05.00 shall be followed in amending this Code and the comprehensive plan. This part supplements the mandatory requirements of state law, which must be adhered to in all respects.

(Ord. No. 91-7, § 2)

#### **Sec. 12.05.02. Application.**

Any person, board or agency may apply to the department to amend the land development regulations or the comprehensive plan in compliance with procedures prescribed by the department.

(Ord. No. 91-7, § 2; Ord. No. 96-08, § 1)

#### **Sec. 12.05.03. Amending this Code.**

The building official shall, upon the receipt of an application for rezoning or an amendment to these land development regulations, submit the same to the comprehensive planning and zoning board for ~~comment-its first public hearing~~ at its next regular meeting. ~~Following comment by the comprehensive planning and zoning board, the application will be submitted to the city commission.~~ In the event the application shall be approved by the passage ~~by the comprehensive planning and zoning board of an ordinance~~ upon first reading, the building official shall refer the application to amend these land development regulations to the ~~comprehensive planning and zoning board~~ City Commission for public hearing and final ~~passage~~ recommendation. The building official shall set the application for hearing before the City Commission ~~comprehensive planning and zoning board~~ at its next regularly scheduled meeting.

(Ord. No. 91-7, § 2; Ord. No. 96-08, § 2; Ord. No. 05-06, § 1, 4-7-05; Ord. No. 21- , § )

#### **Sec. 12.05.04. Amending the comprehensive plan.**

Applications to amend the comprehensive plan shall be set for hearing before the comprehensive planning and zoning board.

(Ord. No. 91-7, § 2)

#### **Sec. 12.05.05. Recommendation of comprehensive planning and zoning board.**

The comprehensive planning and zoning board shall hold ~~a-the first~~ public hearing on each application to amend this Code or the comprehensive plan, and make a recommendation as required by Chapter 163 of the Florida Statutes to the City Commission.

(Ord. No. 91-7, § 2; Ord. No. 92-7, § 14; Ord. No. 92-20, § 13; Ord. No. 21- , § )

**Sec. 12.05.06. Decision by St. Augustine Beach Commission.**

The St. Augustine Beach Commission shall, upon receipt of the recommendation and comments of the comprehensive planning and zoning board, hold a public hearing on the proposed amendment and may enact or reject the proposal, or enact a modified proposal that is within the scope of matters considered in the hearing.

(Ord. No. 91-7, § 2; Ord. No. 96-08, § 3)

**Sec. 12.05.07. Public hearing.**

Each public hearing shall conform to the following requirements:

- A. Notice. Notice that complies with the requirements of state law shall be given.
- B. Hearing. The public hearing shall as a minimum:
  - 1. Permit any person to submit written recommendations and comments before or during the hearing.
  - 2. Permit a reasonable opportunity for interested persons to make oral statements.
- C. Comply with the requirements of state law.

(Ord. No. 91-7, § 2)

**Sec. 12.06.00. Procedure for appealing decisions.**

**Sec. 12.06.01. Appeals from decisions of the building and zoning department.**

A developer or any adversely affected person may appeal a final decision of the department on an application for a development permit, development order, or a decision as to whether a development is a minor development or a major development. Appeals are made to the comprehensive planning and zoning board by filing a notice of appeal with the department within thirty (30) working days of the decision.

(Ord. No. 91-7, § 2;)

**Sec. 12.06.02. Appeals from decisions of the comprehensive planning and zoning board.**

A developer, an adversely affected party, or any person who appeared orally or in writing before the comprehensive planning and zoning board and asserted a position on the merits in a capacity other than as a disinterested witness, may appeal the decision on a development plan, variance,

conditional use permit ~~for a home occupation designated as C-2 in section 3.02.02~~, or an appeal under section 12.06.01 reached at the conclusion of an administrative hearing to the city commission by filing a notice of appeal with the Department within thirty (30) days of the date of the decision.

(Ord. No. 91-7, § 2; Ord. No. 92-7, § 15; Ord. No. 93-14, § 9; Ord. No. 21- , § )

**SECTION 3.** All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

**SECTION 4.** If any section, subsection, sentence, clause, phrase, word or provision of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then said holding shall not be so construed as to render invalid or unconstitutional the remaining provisions of this ordinance.

**SECTION 5.** This Ordinance shall take effect ten (10) days after passage, pursuant to Section 166.041(4), Florida Statutes

**PASSED, APPROVED AND ADOPTED** at the regular meeting of the City Commission of the City of Saint Augustine Beach, Florida this \_\_\_\_ day of \_\_\_\_\_ 2021.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

EXAMINED AND APPROVED by me this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
MAYOR

Published in the \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2021. Posted on [www.staugbch.com](http://www.staugbch.com) on the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

# MEMO

**To:** Max Royle, City Manager  
**From:** Bonnie Miller, Executive Assistant  
**Subject:** Ordinance No. 21-09  
**Date:** Wednesday, July 21, 2021

Please be advised at its regular monthly meeting held Tuesday, July 20, 2021, the City of St. Augustine Beach Comprehensive Planning and Zoning Board voted unanimously to recommend the City Commission approve passage of Ordinance No. 21-07 on final reading.


Passed on first reading by the City Commission at its regular monthly meeting held Wednesday, July 6, 2021, this proposed ordinance amends Sections 12.05.03, 12.05.05, and 12.05.06 of the City of St. Augustine Beach Land Development Regulations (LDRs), to change the process for adopting Comprehensive Plan and Land Development Code amendments.

The motion to recommend the City Commission approve passage of Ordinance No. 21-09 as drafted and passed by the City Commission on first reading was made by Mr. Sarris, seconded by Mr. Pranis, and passed 4-0 by unanimous voice-vote.



**MEMORANDUM**

**TO:** Mayor England  
Vice Mayor Samora  
Commissioner George  
Commissioner Rumrell  
Commissioner Torres

**FROM:** Max Royle, City Manager 

**DATE:** August 18, 2021

**SUBJECT:** Ordinance 21-10, Public Hearing and Second Reading: to Amend the Land Development Regulations Concerning Home Occupations and Conditional Use Permits

**BACKGROUND**

At this time, most conditional use permits must be approved by the City Commission. The Planning Board does review requests for such permits and makes a recommendation to you as to whether they should be approved. The Board does approve permits for home occupations.

At your May 18<sup>th</sup> joint meeting with the Planning Board and the Sustainability and Environmental Planning Advisory Committee, you discussed and approved the staff's suggestion that the Planning Board approve certain conditional use permits, such as for drive-thru windows, the outside serving of food and beverages, and the outside storage or merchandise.

The Planning Board reviewed this proposal at its June 15<sup>th</sup> meeting and by unanimous consensus recommended that an ordinance be drafted to revise the Land Development Regulations to give the Board the authority to review and grant or deny all conditional use permit applications except those that request construction of new single-family and multifamily residences in commercial land use districts.

After June 15<sup>th</sup>, the Building Official became aware of a new state law, House Bill 403, which amends Florida Statute 559.955 to pre-empt the authority of cities to regulate home occupations. Mr. Law decided that the ordinance to allow the Planning Board to approve most conditional use permits should also include the provision in House Bill 403 concerning home occupations, so that the City's Land Development Regulations would be in compliance with Florida Statute 559.955.

You reviewed Ordinance 21-10 at your August 11<sup>th</sup> meeting, when you passed it on first reading. The Comprehensive Planning and Zoning Board reviewed the Ordinance at its August 17<sup>th</sup> meeting, and by unanimous vote recommended that you approve it.

**ATTACHMENTS**

Attached for your review is the following:

- a. Page 1, the recommendation made by the Planning Board at its June 15<sup>th</sup> meeting that it have the authority to issue certain conditional use permits.
- b. Pages 2-14, Ordinance 21-10



- c. Page 15, a memo from the Building Department's Executive Assistant, Ms. Bonnie Miller, in which she states the Board's recommendation that ordinance 21-10 be approved.

**ACTION REQUESTED**

It is that you hold the public hearing and pass Ordinance 21-10 on its second reading.

It will then be scheduled for its second public hearing and final reading at your October 4<sup>th</sup> meeting.

# MEMO

**To:** Max Royle, City Manager  
**From:** Bonnie Miller, Executive Assistant  
**Subject:** PZB Authority to Grant Certain Conditional Use Permits  
**Date:** Wednesday, June 16, 2021

Please be advised at its regular monthly meeting held Tuesday, June 15, 2021, the City of St. Augustine Beach Comprehensive Planning and Zoning Board agreed by unanimous oral consensus to recommend the City Commission move forward with the drafting of an ordinance to revise the City's Land Development Regulations (LDRs) to give the Planning and Zoning Board the authority to consider, review, and grant or deny certain conditional use permit applications.

Per Section 10.03.04 of the City's LDRs, the Planning and Zoning Board currently has the sole authority to grant or deny conditional use permit applications for home occupations only. All other conditional use permit applications, including those requesting to build single-family and multi-family residences and condominiums on commercially-zoned lots, outdoor dining, food service and sales outside of enclosed buildings, outdoor displays and sales of merchandise, and drive-thru windows for commercial restaurants and businesses, require applicants to attend and present their applications at two meetings: first, the application is reviewed and considered by the Planning and Zoning Board, which makes a recommendation of approval or denial to the City Commission, and second, the applicant then presents the application to the City Commission for the Commission's review and final say on the approval or denial of the application.

The Board agreed, by unanimous oral consensus, to recommend the City Commission move forward on the drafting of an ordinance to revise the City's LDRs to give the Planning and Zoning Board the sole authority to consider, review and grant or deny all conditional use permit applications except those which request construction of new single-family and multi-family residences and condominiums in commercial land use districts.

**ORDINANCE NO. 21-10**

**AN ORDINANCE OF THE CITY OF SAINT AUGUSTINE BEACH, FLORIDA, MAKING FINDINGS OF FACT; AMENDING LAND DEVELOPMENT REGULATIONS OF ARTICLE 3 DEFINING USES, ARTICLE 6 DEFINING IMPERVIOUS SURFACE COVERAGE, ARTICLE 7 HOME OCCUPATIONS, ARTICLE 10 CONDITIONAL USE PERMITS, 11 COMPREHENSIVE PLANNING AND ZONING, AND ARTICLE 12 PROCEDURES FOR AMENDING THE COMPREHENSIVE ZONING PLAN FOR THE CITY OF SAINT AUGUSTINE BEACH, FLORIDA; AUTHORIZING RECORDING OF A CERTIFIED COPY OF THIS ORDINANCE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.**

**WITNESSETH:**

**WHEREAS**, the City Commission finds that it is in the best interests of the citizens of Saint Augustine Beach, Florida to allow the Comprehensive Planning and Zoning Board review some of the Conditional Use permits for the City of Saint Augustine Beach, Florida;

**WHEREAS**, the City has a Planning and Zoning Board which routinely reviews changes to land development and land use matters within the City;

**WHEREAS**, the City seeks to streamline the processes and agenda items and delegate authority to the Planning and Zoning Board;

**WHEREAS**, the State of Florida adopted House Bill 403 which made a change to Fla. Stat. 559.955 that preempts local regulation of some home-based business and the Code needed to be changed to come into compliance with those changes;

**WHEREAS**, in a previous ordinance amending section 6.01.02, the mixed use district was inadvertently left out of the table;

**WHEREAS**, the purposes of this article are to establish uniform procedures for the application to the City which comply with Florida Law.

**NOW THEREFORE BE IT ORDAINED BY THE PEOPLE OF THE CITY OF SAINT AUGUSTINE BEACH:**

**SECTION 1.** The foregoing recitals are incorporated as legislative findings of fact.

**SECTION 2.** Amend Chapter 3 of the City's Land Development Code as follows:

**Sec. 3.02.02. Uses.**

- A. Except as provided in subsection B. herein, the permitted and conditional uses for all land use districts except mixed use districts are listed in Table 3.02.02. Uses for mixed use districts are listed in section 3.02.02.01. The list of uses contained in said table are exclusive, and any use not included under permitted or conditional uses shall be prohibited in such districts.
- B. Pharmacies may be located only in those commercial areas located within the city of St. Augustine Beach along State Road A1A from Pope Road south along the State Highway to the city's southern limits, including the area located within the Anastasia Plaza.
- C. For all uses designated as C-2 in section 3.02.02, the Comprehensive Planning and Zoning Board may stand in the place of the City Commission for the purposes of this section.

**TABLE 3.02.02  
TABLE OF USES BY LAND USE DISTRICT**

Legend: P=Permitted; C-1= Conditional Use approved by the City Commission; C-2 = Conditional Use approved by the Comprehensive Planning and Zoning Board; X = Prohibited

Uses	Land Use District							
	L	ML	M	H	CO	I	R	C N
<i>Residential</i>								
Single-family	P	P	P	P	C-1	X	X	X
Mobile home	X	X	X	X	X	X	X	X
Multifamily, condominiums	X	X	P	P	C-1	X	X	X
Adult congregate living facility (group home)	C-1	C-1	C-1	C-1	X	X	X	X
Childcare (in the home)	X	X	X	C-2	C-2	X	X	X
Bed and breakfast	X	X	C-2	C-2	P	X	X	X
Rooming house	X	X	X	C-2	C-2	X	X	X
Temporary residences (construction, model home)	C-2	C-2	C-2	C-2	X	X	X	X

<u>Business Activities as defined under Fla. 559.955</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>All home occupations not defined as business activities under Fla. Stat. 559.955</u>	<u>C-2</u>	<u>C-2</u>	<u>C-2</u>	<u>C-2</u>	<u>C-2</u>	X	X	X
<i>Offices</i>								
Professional offices	X	X	X	X	P	X	X	X
Business offices	X	X	X	X	P	X	X	X
Banks (drive-up facilities allowed)	X	X	X	X	P	X	X	X
Post offices, including mailing, and customer services such as messenger answering services .....	X	X	X	X	P	X	X	X
Government offices (other than city offices)	X	X	X	X	P	P	X	X
<i>Retail Sales</i>								
Retail outlets for sale of antiques, art, artist supplies, arts and crafts supplies, bait and tackle, bicycles, books, clothing, confectionery, drug and sundries, gifts, hardware, jewelry, luggage, leather goods, office supplies, optical goods, paint, photography supplies, radios, televisions and electronic equipment, satellite equipment, shoes, souvenirs, sporting goods, and tapes and records	X	X	X	X	P	X	X	X
Farmer's market (as defined by section 12-51(f) of the City of St. Augustine Beach Code) Operated by organizations exempt from City Licensure pursuant to section 12-51(f) of such code	X	X	X	X	X	P	X	X
Garage sale (no more than two (2) per year)	P	P	P	P	X	X	X	X
Garage sale by charitable, civic or religious organization (no more than two (2) per year)	X	X	X	X	P	P	P	X

Grocery stores, delicatessens, meat markets (no live poultry or stock), and convenience type stores (beer and wine to be sold and carried off premises only, and as an integral part of grocery item displays and sales)	X	X	X	X	P	X	X	X
Pet shop (but not animal kennel)	X	X	X	X	C-2	X	X	X
Shopping centers	X	X	X	X	P	X	X	X
<i>Services, Hotels, and Restaurants</i>								
Service establishments: barber and beauty shops, bakery (but not wholesale), bicycle rentals, costuming shops, dry cleaner (using nonflammable solvents only), electronic and light mechanical repair stores, florists, interior decorator, laundromat, photography studio, printing, shoe repair, tailor, travel agency, upholstery shop, and video rentals	X	X	X	X	P	X	X	X
Catering	X	X	X	X	C-2	X	X	X
Condominium hotels	X	X	X	X	C-1	X	X	X
Day care center	X	X	X	X	C-2	X	X	X
Equipment rental	X	X	X	X	C-2	X	X	X
Food and/or beverage service or consumption outside of an enclosed building on the premises of a restaurant or hotel/motel	X	X	X	X	C-2	X	X	X
Funeral home	X	X	X	X	C-2	X	X	X
Hotel/motel (including ancillary uses such as restaurants, lounges and night clubs)	X	X	X	X	P	X	X	X
Live theaters, satellite presentations, and motion pictures (not drive-in)	X	X	X	X	P	X	X	X
Mini-storage warehouses	X	X	X	X	C-2	X	X	X
Pest control	X	X	X	X	C-2	X	X	X

Pharmacy	X	X	X	X	P	C-2	X	X
Restaurant operated wholly within an enclosed building including servicing of alcoholic beverages incidental to the restaurant business only (no drive-up facility)	X	X	X	X	P	X	X	X
Restaurant operated wholly within an enclosed building with drive-up facilities (including serving of alcoholic beverage incidental to the restaurant business only within the restaurant, but not at the drive-up facility)	X	X	X	X	C-2	X	X	X
Services, hotels (but not hotels in a condominium form of ownership), and restaurants	X	X	X	X	P	X	X	X
Veterinarian and animal hospital (without an outside kennel)	X	X	X	X	C-2	X	X	X
<i>Educational, Cultural, Religious Uses</i>								
Elementary, middle and high schools	P	P	P	P	P	P	P	X
Vocational schools	X	X	X	X	C-2	P	X	X
Churches, synagogues, and temples	P	P	P	P	P	P	P	X
Libraries, art museums	X	X	X	X	P	P	P	X
Social, fraternal clubs, lodges	X	X	X	X	P	X	X	X
Auditoriums	X	X	X	X	P	P	X	X
<i>Recreational, Amusement, and Entertainment</i>								
Arcades	X	X	X	X	C-2	X	X	X
Uses where activity is conducted entirely within an enclosed building (bowling alleys, skating rinks, exercise facilities, billiards, pool parlors, dance studios and martial arts studios)	X	X	X	X	P	X	X	X

Privately owned recreational facilities such as golf courses, country clubs, swimming or tennis clubs	<del>C-2</del> 1	<del>C-2</del> 1	<del>C-2</del> 1	<del>C-2</del> 21	P	X	P	X
Publicly or privately recreational facilities of any kind and special events not involving amplified noise or sound outside of a structure between the hours of 10:00 p.m. and 9:00 a.m. the following day on land owned by St. Johns County or the city (See section 9.02.15)	X	X	X	<del>C-2</del>	P	P	P	X
Golf driving range not accessory to golf course, par 3 golf, miniature golf, water slides, skateboard parks and similar commercial ventures	X	X	X	X	P	X	P	X
<i>Medical Related Facilities</i>								
Physician offices	X	X	X	X	P	X	X	X
Medical clinics	X	X	X	X	P	P	X	X
Hospital	X	X	X	X	<del>C-2</del> 1	P	X	X
<i>Motor Vehicle Related Sales and Service</i>								
Service stations or public mechanical garages including automobile washing as an ancillary use (vehicle repair not allowed outside of an enclosed building)	X	X	X	X	P	X	X	X
<i>Miscellaneous Facilities</i>								
Public utility lines	P	P	P	P	P	P	P	P
Utility facility	<del>C-2</del> 1	<del>C-2</del> 1	<del>C-2</del> 1	<del>C-2</del> 1	P	P	<del>C-2</del> 2-1	X
Minor structures with state required permits on environmentally sensitive land, such as dune walkovers	P	P	P	P	P	P	P	P



City-owned or city-operated offices and facilities of any kind	P	P	P	P	P	P	P	X
Construction facilities (such as trailers, vehicles, equipment, and materials) in connection with road or drainage work performed by the State of Florida, St. Johns County, or the city, or by contractors employed by said governmental entities	P	P	P	P	P	P	P	P
Parking lots	X	X	X	X	P	X	X	X

(Ord. No. 18-07, § 1(Exh. 1), 5-7-18; Ord. No. 19-01, § 2, 3-4-19; Ord. No. 21-\_\_, § \_\_)

### **SECTION 3. Amend Chapter 6 of the City's Land Development Code as follows**

#### **s Sec. 6.01.02. Impervious surface coverage.**

- A. *Generally.* Impervious surface on a development site shall not exceed the ratios provided in the table in paragraph D. of this section.
- B. *Ratio calculation.* The impervious surface ratio is calculated by dividing the total impervious surface area by the gross site area.
- C. *Alternative paving materials.* If porous paving materials are used, then the area covered with porous paving materials shall not be counted as impervious surface for high density residential and commercial only. Low and Medium density residential shall be allowed a 15% increase in impervious surface ratio if the materials used have a 10% or greater permeability.
- D. *Table of impervious surface ratios.*

Land Use District	Maximum Impervious Surface Ratio <sup>1</sup>
Low density residential	0.40*
Medium density residential	0.50
Medium low density residential	0.50
High density residential	0.70
<u>Mixed Use District</u>	<u>0.70</u>
Commercial	0.70

<sup>1</sup> The maximum impervious surface ratio is given for each district, regardless of the type of use proposed and allowable pursuant to Article III.

\* In Low Density Residential land use district a 465 square feet allowance shall be provided for the construction and installation of a pool and pool decking only.

(Ord. No. 18-08 , § 1(Exh. 1), 7-2-18; Ord. No. 20-02 , § 6(Exh. 1), 3-2-20; Ord. No. 20-15 , § 3, 1-4-21; Ord. No. 21- , § )

#### **SECTION 4. Amend Chapter 7 of the City's Land Development Code as follows**

##### **Sec. 7.02.01. -- Home occupations.**

A home occupation shall be allowed in a bona fide dwelling unit, subject to the following requirements:

- A. All home occupation uses allowed under Fla. Stat. 559.955 are allowed within the City. Should any home occupation not be regulated under Fla. Stat. 559.955, this section shall control those home occupations.
- B. No more than two persons other than members of the family residing on the premises shall be engaged in such occupation.
- C. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants and shall under no circumstances change the residential character of the structure.
- D. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation, unless a sign is required by state law. Said sign shall not exceed minimum state requirements.
- E. ~~No home occupation shall occupy more than twenty (20) percent of the first floor area of the residence. No accessory building, freestanding or attached, shall be used for a home occupation.~~
- F. No traffic shall be generated by such occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met off the street and other than in a front yard required pursuant to this Code.
- G. No equipment, tools or process shall be used in such a home occupation which creates interference to neighboring properties due to noise, vibration, glare, fumes, odors, or electrical interference. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio, telephone, or television receivers off the premises or causes fluctuations in line voltage off the premises.
- H. Fabrication of articles commonly classified under the terms arts and handicrafts may be deemed a home occupation, subject to the other terms and conditions of this definition and providing no retail sales are made at the home.

- I. Outdoor storage of materials shall not be permitted.
- J. A home occupation shall be subject to all applicable city occupational licensing requirements, fees, and other business taxes.

(Ord. No. 91-7, § 2 Ord. No. 21-\_\_\_\_, § \_\_\_\_)

**SECTION 5.** Amend Chapter 10 of the City's Land Development Code as follows:

**Sec. 10.03.00. Conditional use permits.**

**Sec. 10.03.01. Procedures.**

- A. *Rules.* The city commission shall make rules for the conduct of hearings for the granting of conditional use permits. These rules shall include at least the right of any party to:
  - 1. Present his case or defense by oral and documentary evidence.
  - 2. Submit rebuttal evidence and conduct such cross-examination as may be required for a full and true disclosure of the facts.
  - 3. Submit proposed findings and conclusions and supporting reasons therefor.
  - 4. Make offers of compromise or proposals of adjustment.
  - 5. Be accompanied, represented and advised by counsel or represent himself.
  - 6. Be promptly notified of any action taken by the city commission concerning his request for the granting of a conditional use permit, or any decisions concerning procedures for the granting of such a permit.
- B. *Evidence.* The city commission shall receive into evidence that which is admissible in civil proceedings in the courts of Florida, but in receiving evidence due regard shall be given to the technical and highly complicated subject matter which must be handled, and the exclusionary rules of evidence shall not be used to prevent the receipt of evidence having substantial probative effect. Otherwise, however, effect shall be given to rules of evidence recognized by the laws of Florida.
- C. *Record.* The city commission shall promulgate appropriate rules and regulations providing for the establishment and maintenance of a record of all requests for conditional use permits. A verbatim transcript of the record is not required, but the commission shall establish such record in sufficient degree to disclose the factual basis for its final determination with respect to requests for permits.
- D. *Orders.* A final order on each request for a conditional use permit shall be made within thirty (30) calendar days of the last hearing at which such request was considered. Each final order shall contain findings upon which the commission's order is based and may include such conditions and safeguards as prescribed by the commission as appropriate in the matter, including reasonable time limits within which action pursuant to such order shall be begun or completed or both.

- E. *Limitations.* A conditional use permit shall not be granted if the proposed use will not be compatible with other uses existing in the neighborhood or the proposed use will conflict with the public interest.
- F. *Violations.* The violation of any condition or safeguard when made a part of the terms under which a conditional use permit is granted shall be deemed a violation of this Code.
- G. For all uses designated as C-2 in section 3.02.02, the Comprehensive Planning and Zoning Board may stand in the place of the City Commission for the purposes of this section.

(Ord. No. 91-7, § 2; Ord. No. 95-1, § 13; Ord. No. 21- , § \_\_\_\_)

**Sec. 10.03.03. Appeal of decisions.**

- A. Appeal of decisions on conditional use permits made by the city commission shall be made to the circuit court of St. Johns County.
- B. Appeal of decisions on conditional use permits ~~for home occupations~~ made by the comprehensive planning and zoning board shall be made to the city commission.

(Ord. No. 91-7, § 2; Ord. No. 93-14, § 8; Ord. No. 21- , § \_\_\_\_)

**Sec. 10.03.04. ~~Home occupations.~~ Conditional Use Permit Hearings by the Comprehensive Planning and Zoning Board.**

~~A. — The comprehensive planning and zoning board shall have the authority to grant or deny a conditional use permit for a home occupation. It shall not be necessary for the city commission to approve or confirm the decision of the board in respect to grant or denial of a conditional use permit for a home occupation.~~

~~B. — The procedures and limitations provided under sections 10.03.01 and 10.03.02 shall apply to conditional use permits for home occupations, except that any reference to the "city commission" or "commission" shall be read as the "comprehensive planning and zoning board."~~

⊖

A. The comprehensive planning and zoning board shall have the authority to grant or deny a conditional use permit for all the uses designated as C-2 in the table found in section 3.02.02. It shall not be necessary for the City Commission to approve or confirm the decision of the comprehensive planning and zoning board in respect to grant or deny a conditional use permit for those uses designated as C-2.

B. The procedures and limitations provided under sections 10.03.01 and 10.03.02 shall apply to conditional use permits for the uses designated C-2 in section 3.02.02, except any reference to the "City Commission" or "Commission" shall be read as the "Comprehensive Planning and Zoning Board".

(Ord. No. 93-14, § 7; Ord. No. 21- , § \_\_\_\_)

**SECTION 6.** Amend Chapter 11 of the City's Land Development Code as follows:

**Sec. 11.02.03. General functions, powers and duties.**

- A. The board shall obtain and maintain information on population, property values, the land economy, land use and other information necessary to assess the amount, direction and type of development to be expected in the city.
- B. The building and zoning department, under the direction of the building official shall serve as staff to the board. The board may request information from any city department or official.
- C. Pursuant to and in accordance with the Local Government Comprehensive Planning and Land Development Regulation Act, Chapter 163, Part II, Florida Statutes, the board is hereby designated as the local planning agency for the city and shall perform the functions and duties as prescribed in the Act.
- D. The board shall monitor and oversee the operation, effectiveness and status of this Code and recommend amendments to the city commission that are consistent with the St. Augustine Beach Comprehensive Plan.
- E. The city commission may ask the board for advice about specific land use issues and policies.
- F. The board shall keep the commission and the general public informed and advised on the land use policies of St. Augustine Beach.
- G. The board shall conduct public hearings to gather information necessary for the drafting, establishment, amendment, and maintenance of the various elements of the St. Augustine Beach Comprehensive Plan and provisions of this Code.
- H. The board may make or obtain special studies on the location, condition and adequacy of specific facilities of St. Augustine Beach, including housing and commercial and facilities, parks, playgrounds, beaches and other recreational facilities, public buildings, private utilities, transportation and parking.
- I. The board shall review any redevelopment plans prepared under Chapter 163, Part III, Florida Statutes.
- J. The board shall perform other lawfully assigned duties.
- K. The board shall review and act upon applications for development review pursuant to this Code.
- L. Pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act, the comprehensive planning and zoning board is hereby designated to be the land development regulation commission and shall perform the duties and functions prescribed in the Act.

M. The Comprehensive Planning and Zoning Board shall hear all conditional use permits designated as C-2 in Section 3.02.02 and procedurally shall have all the same powers as the City Commission in the specific authority to review and grant conditional use permits for those uses designated C-2.

(Ord. No. 91-7, § 2; Ord. No. 21-\_\_\_\_, § \_\_\_\_)

**SECTION 7.** Amend Chapter 12 of the City's Land Development Code as follows:

**Sec. 12.06.02. Appeals from decisions of the comprehensive planning and zoning board.**

A developer, an adversely affected party, or any person who appeared orally or in writing before the comprehensive planning and zoning board and asserted a position on the merits in a capacity other than as a disinterested witness, may appeal the decision on a development plan, variance, conditional use permit designated as C-2 in section 3.02.02, or an appeal under section 12.06.01 reached at the conclusion of an administrative hearing to the city commission by filing a notice of appeal with the Department within thirty (30) days of the date of the decision.

(Ord. No. 91-7, § 2; Ord. No. 92-7, § 15; Ord. No. 93-14, § 9; Ord. No. 21-\_\_\_\_, § \_\_\_\_)

**SECTION 8.** All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

**SECTION 9.** If any section, subsection, sentence, clause, phrase, word or provision of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then said holding shall not be so construed as to render invalid or unconstitutional the remaining provisions of this ordinance.

**SECTION 10.** This Ordinance shall take effect ten (10) days after passage, pursuant to Section 166.041(4), Florida Statutes

**PASSED, APPROVED AND ADOPTED** at the regular meeting of the City Commission of the City of Saint Augustine Beach, Florida this \_\_\_\_ day of \_\_\_\_ 2021.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

EXAMINED AND APPROVED by me this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
MAYOR

Published in the \_\_\_\_\_ on the \_\_\_\_ day of \_\_\_\_\_, 2021. Posted on [www.staugbch.com](http://www.staugbch.com) on the \_\_\_\_ day of \_\_\_\_\_, 2021.



# MEMO

**To:** Max Royle, City Manager  
**From:** Bonnie Miller, Executive Assistant  
**Subject:** Ordinance No. 21-10  
**Date:** Wednesday, August 18, 2021

Please be advised at its regular monthly meeting held Tuesday, August 17, 2021, the City of St. Augustine Beach Comprehensive Planning and Zoning Board voted unanimously to recommend the City Commission approve passage of Ordinance No. 21-10 on final reading.

Passed on first reading by the City Commission at its regular monthly meeting held Wednesday, August 11, 2021, this proposed ordinance amends Sections 3.02.02, 7.02.01, 10.03.01, 10.03.03, 10.03.04, 11.02.03, and 12.06.02 of the City of St. Augustine Beach Land Development Regulations (LDRS) to designate approval of certain conditional use permits by the City's Comprehensive Planning and Zoning Board and approval of all other conditional use permits by the City Commission; and to amend Section 6.01.02.D of the LDRs to specify maximum impervious surface ratio (ISR) coverage for mixed use land use districts.

The motion to recommend the City Commission approve passage on final reading of Ordinance No. 21-10 as drafted was made by Ms. Odom, seconded by Mr. Sarris, and passed 7-0 by unanimous voice-vote.



## **MEMORANDUM**

Agenda Item # 3

Meeting Date 9-13-21

**TO:** Max Royle, City Manager

**FROM:** William Tredik, P.E. Public Works Director

**DATE:** September 13, 2021

**SUBJECT:** Resolution 2021-30 designating the City Manager as the Authorized Representative to sign the grant agreement for funding of St. Augustine Beach Resiliency Improvements Ocean Walk Subdivision.

### **DISCUSSION**

The Florida Legislature has appropriated \$694,000 to design, permit and construct the St. Augustine Beach Resiliency Improvements Ocean Walk Subdivision, hereinafter referred to as the "Project." The appropriated funds are to be provided via a grant agreement between the Florida Department of Environmental Protection (FDEP) and the City of St. Augustine Beach (City).

Designation of the City Manager as the City's Authorized Representative allows the City Manager to sign the grant agreement as well as expedite approval of inconsequential future changes. Significant changes to the agreement and changes requiring budgetary action would continue to be brought to the City Commission for approval.

### **RECOMMENDED ACTION**

Approve Resolution 2021-30 designating the City Manager as the Authorized Representative to the sign grant agreement for funding the St. Augustine Beach Resiliency Improvements Ocean Walk Subdivision.

**RESOLUTION 2021-30**

**CITY OF ST. AUGUSTINE BEACH  
ST. JOHNS COUNTY  
FLORIDA**

**RE: DESIGNATING THE CITY  
MANAGER AS THE AUTHORIZED  
REPRESENTATIVE TO SIGN GRANT  
AGREEMENT FOR FUNDING ST.  
AUGUSTINE BEACH RESILIENCY  
IMPROVEMENTS OCEAN WALK  
SUBDIVISION**

The City Commission of St. Augustine Beach, St. Johns County, Florida, in the regular meeting duly assembled on Monday, September 13, 2021, resolves as follows:

**WHEREAS**, the Florida Legislature has appropriated funds to design and construct the St. Augustine Beach Resiliency Improvements – Ocean Walk Subdivision, hereinafter referred to as the “Project,” and

**WHEREAS**, State of Florida appropriated funds are to be disbursed to the City of St. Augustine Beach, hereinafter referred to as the “City,” through a Grant Agreement with the Florida Department of Environmental Protection, hereinafter referred to as “FDEP, and

**WHEREAS**, the FDEP requires the City to execute and deliver to them the aforementioned Grant Agreement, to be eligible for payment for work associated with the Project.

**NOW, THEREFORE, BE IT RESOLVED** by the City Commission of the City of St. Augustine Beach, St. Johns County, Florida, that the City Manager of the City of St. Augustine Beach is hereby designated the City's Authorized Representative for the project and may therefore execute the Grant agreement and modifications to the Grant Agreement, within his authority, which may be required from time to time.

**RESOLVED AND DONE**, this 13<sup>th</sup> day of September, 2021, by the City Commission of the City of St. Augustine Beach, St. Johns County, Florida.

ATTEST:

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Margaret England, Mayor

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Max Royle, City Manager

**RESOLUTION 21-30**

**CITY OF ST. AUGUSTINE BEACH  
ST. JOHNS COUNTY  
FLORIDA**

**RE: AUTHORIZING CITY MANAGER AS THE  
AUTHORIZED REPRESENTATIVE TO SIGN  
GRANT AGREEMENT FOR FUNDING FOR ST.  
AUGUSTINE BEACH RESILIENCY  
IMPROVEMENTS – OCEAN WALK SUBDIVISION**

The City Commission of St. Augustine Beach, St. Johns County, Florida, in the regular meeting duly assembled on Monday, September 13, 2021, resolves as follows:

**WHEREAS**, the Florida Legislature has appropriated funds to design and construct the St. Augustine Beach Resiliency Improvements – Ocean Walk Subdivision, hereinafter referred to as the “Project,” and

**WHEREAS**, State of Florida appropriated funds are to be disbursed to the City of St. Augustine Beach, hereinafter referred to as the “City,” through a Grant Agreement with the Florida Department of Environmental Protection, hereinafter referred to as “FDEP, and

**WHEREAS**, the FDEP requires the City to execute and deliver to them the aforementioned Grant Agreement, to be eligible for payment for work associated with the Project.

**NOW, THEREFORE, BE IT RESOLVED** by the City Commission of the City of St. Augustine Beach, St. Johns County, Florida, that the City Manager of the City of St. Augustine Beach is hereby designated the City’s Authorized Representative for the project and may therefore execute the Grant agreement and modifications to the Grant Agreement, within his authority, which may be required from time to time.

**RESOLVED AND DONE**, this 13<sup>th</sup> day of September 2021, by the City Commission of the City of St. Augustine Beach, St. Johns County, Florida.

ATTEST:

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Margaret England, Mayor

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Max Royle, City Manager

**MEMORANDUM**

**TO:** Mayor England  
Vice Mayor Samora  
Commissioner George  
Commissioner Rumrell  
Commissioner Torres

**FROM:** Max Royle, City Manager 

**DATE:** September 3, 2021

**SUBJECT:** Recycling Service: Request for Guidance from the Commission

Attached is a memo from the Public Works Director in which he explains well the reasons for this request.

We will ask you at your budget meeting on September 13<sup>th</sup> to have Mr. Tredik present his memo as part of your discussion concerning the budget. The reason is that your decision concerning the City taking over the recycling pickup service could have an effect on the FY 22 budget and perhaps even on the level of millage you decide to levy

For example, you'll note that for the City to take over recycling, we will need lease or purchase a truck and to hire two additional employees. Money to pay these costs hasn't been included in the budget, as we don't know how much money will be needed. The amount depends on when you decide the City should take over recycling. If it's January 1, 2022, then the City will have to put in the budget money for nine months of expenses for the truck and the two employees. If you decide the City should take over the service after May 21, 2022, which is when the current contract with Waste Management expires, then the City will have budget money for vehicle and the employees for the last quarter of FY 22.

Or you could decide to temporarily suspend the recycling pickup service until the start of FY 23, which will be October 1, 2022. The suspension would give us time to budget for the new truck and the employees, and to educate the citizens about changes to the services, such as days of pickup and the items that can and cannot be recycled.

Also to be considered is whether the millage will need to be kept at the 2.5998, in order to provide money for the truck, the two new employees AND money to continue the restoration of the General Fund reserve, or, if you want to reduce the millage and have the City take over the recycling service sooner rather than later, then money to pay for the truck and the employees will have to come from reserve.

Thus, before you make a decision concerning the millage at the September 13<sup>th</sup> meeting, you move Item 4 on the regular meeting agenda, the request regarding recycling service, to the budget meeting. If you agree, then the steps for the budget meeting could be:

- a. Introduction by City Manager
- b. Presentation of FY 22 budget by the Finance Director
- c. Presentation of the request for guidance concerning the recycling service by the Public Works Director
- d. Commission then discusses the FY 22 millage and budget, and the recycling service, takes public comment, etc.

## MEMORANDUM

**TO:** Max Royle, City Manager  
**FROM:** William Tredik, P.E. Public Works Director  
**DATE:** September 13, 2021  
**SUBJECT:** Recycling Service  
Request for Guidance from the City Commission

### BACKGROUND

#### Waste Management (formerly Advanced Disposal) Contract History:

The City of St. Augustine currently has a five-year contract with Waste Management to provide recycling services. The contract commenced on June 1, 2017 and expires on May 31, 2022. The recycling contract includes:

- Once per week pickup for residential collection
- Once or twice per week for commercial collection

#### Contract Costs

The initial contract costs to the City were:

- \$3.46 per resident or per commercial 18-gal bin
- \$29.50 per commercial 96-gallon cart

The contract provides that once per year, beginning October 1, 2019, rates shall be adjusted upwards or downwards to reflect the percentage change in the Consumer Price Index for Urban Consumers, Garbage & Trash (CPI-U) over the preceding twelve months. Based upon this agreement, the rates were adjusted as follows:

October 1, 2019 4% increase	Monthly residential rate increased to \$3.60 per month Monthly commercial bin rate increased to \$3.60 per month Monthly commercial cart rate increased to \$30.69 per month
October 1, 2020 3% increase	Monthly residential rate increased to \$3.71 per month Monthly commercial bin rate increased to \$3.71 per month Monthly commercial cart rate increased to \$31.64 per month

On June 15, 2021, Waste Management notified the City that the CPI-U over the previous year was 4.6564%. As the contract with Waste Management caps the CPI-U increase at 4%, beginning October 1, 2021 the recycling rates will be adjusted as follows:

- Monthly residential rate will increase to \$3.86 per month
- Monthly commercial bin rate will increase to \$3.86 per month
- Monthly commercial cart rate will increase to \$32.91 per month

As of April 1, 2021 the number of recycling customers (and associated costs) were as follows:

2,685 Residential Customers:	\$3.71 each per month	\$ 9,961.35 monthly
30 Commercial Customers:	20 Bins @ \$3.71 per month	\$ 74.20 monthly
	13 Carts @ 31.64 per month	\$ 411.32 monthly
	Total Cost (rounded)	\$10,446.87 monthly

Assuming a constant number of customers, the overall cost to the City, beginning October 1, 2021, will increase by approximately \$420 per month. This equates to a total increase of approximately \$3,360 over the remaining eight (8) months of the contract. The estimated total cost to the City, beginning October 1, 2021 is approximately \$10,865 per month or \$86,920 for the remainder of the contract.

#### Future Costs

As discussed in Waste Management's June 15, 2021 letter, the actual CIP-U increased by 4.6564%. Per the terms of the contract, their increase was capped at 4%. Two of the three CPI-U increases allowed within the contract term reached this 4% cap, indicating that actual recycling costs have increased faster than the 2017 projections.

On May 24, 2021 the City Commission conducted a workshop to discuss recycling and to determine the most appropriate path for the City's future recycling program. The Public Works Director presented data demonstrating recycling trends and projecting future costs to the City. The following charts indicated that the weight of the recycled material peaked in FY 2019:

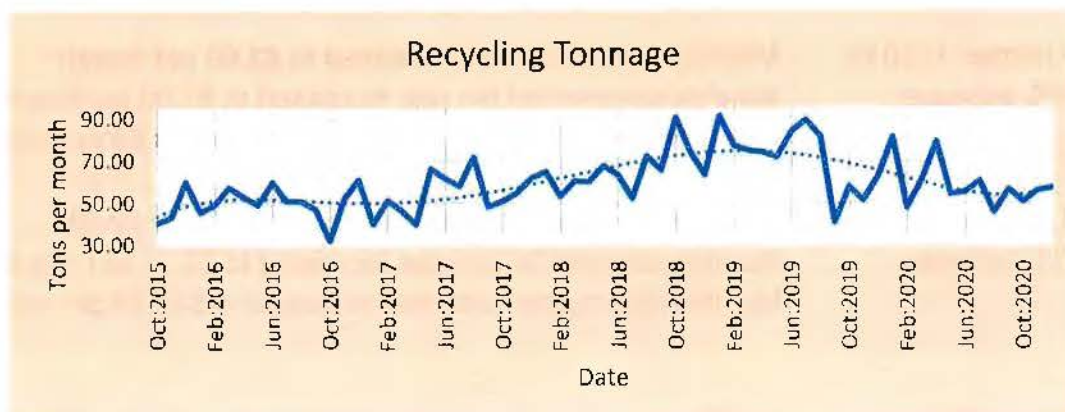
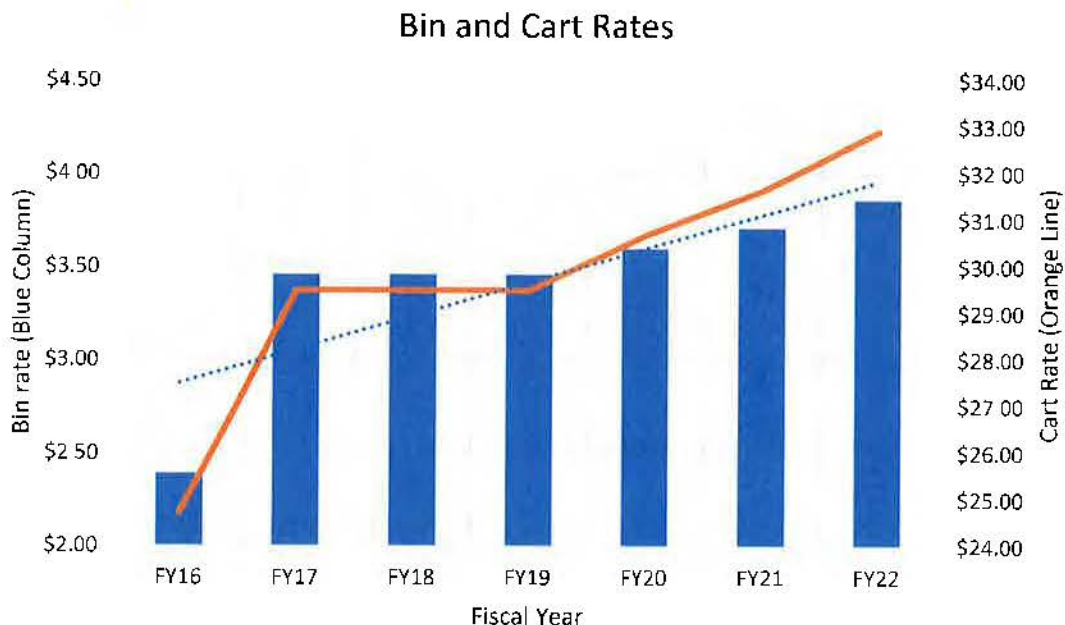


Figure 1 - Recycling Tonnage over Time



Though the tonnage of recycled material appears to have peaked in FY 2019, the cost to the City has steadily increased as allowed by the contract CPI-U adjustment. The following chart shows the bin/cart costs since FY 2016:



*Figure 2 - Historical Bin and Cart Rate Increases*

As discussed in the May 24, 2021 City Commission workshop, the last time recycling services were bid (2017), the monthly bin rate rose by 45% and the monthly cart rate rose by 19%. The recycling market has changed significantly and become more volatile in the past five years. The potential for a similar cost increase – if a new contract is bid and awarded in FY 2022 – is high. In past years, recycling companies were able to realize profit due to the desirability and market for recyclable material. Though the market for recycled metals remains strong, recent years have seen changes in other areas, including:

- Loss of a market for recycled glass
- Loss of a market for plastics other than Type 1 (PET - clear soda bottles, water bottles, etc.) and Type 2 (HDPE – opaque milk jugs, juice bottles, cleaner bottles, etc.)
- Volatility in the demand for paper and cardboard products

The sorting required to separate desirable recyclable materials from less desirable recyclable materials and non-recyclable materials (contamination) is expensive. As a result, contractor disposal costs have increased dramatically in recent years. These increases in disposal fees (in conjunction with cost increases for fuel, equipment and labor) make it likely that any future recycling contract will see a significant increase in cost to the City.

### Past Commission Direction

At their May 24, 2021 Workshop, the City Commission considered the following three options for its future recycling program:

- **Recycling Option 1 - Bid new contract; but reduce types of recycled materials collected**

Pros: Potential for reduced sorting  
Increases probability of collected recyclables being recycled

Cons: Likely not reduce contracted recycling costs to City  
Will require reduction of types of material collected  
Garbage stream will increase if less material collected → increased garbage costs

- **Recycling Option 2 – “In-House” Recycling**

Pros: Potential to save tipping fees depending upon location of disposal  
Increases probability of collected recyclables being recycled

Cons: Will require reduction of types of material collected  
Garbage stream will increase if less material collected → increased garbage costs  
Requires purchase or lease of refuse truck and two full time employees

- **Recycling Option 3 - Temporarily suspend recycling**

Pros: Approximately \$45,000 City savings from FY 2021  
Option to begin recycling in the future if conditions change

Cons: No recycling program  
Garbage stream will increase if less material collected → increased garbage costs

At their May 24, 2021 workshop the City Commission directed staff to gather additional information and continue with the consideration of Recycling Option 2. Staff gathered additional information as requested and also teleconferenced with Waste Management to discuss other options, including the “piggybacking” the St. Johns County contract.

At the August 11, 2021 City Commission meeting, Staff presented to the Commission the following three options for providing solid waste and recycling services:

- **Solid Waste Option 1**

- City continues to provide service for garbage and yard trash
- Maintain recycling contract with Waste Management through May 2022
- City takes over recycling at end of recycling contract



- **Solid Waste Option 2**
  - Piggyback on St. Johns County Contracts
  - Contractor to provide solid waste and recycling services
- **Solid Waste Option 3**
  - City provides all services effective October 1, 2021

The City commission chose Option 3 with the understanding that the date of City commencement of recycling services was dependent upon the successful termination of the existing contract with Waste Management, the hiring of additional staff, the purchase or lease of an additional refuse truck and the education of customers of any pending changes to the recycling program.

## **DISCUSSION**

### **Existing Recycling Contract**

Subsequent to the August 11, 2021 City Commission meeting, staff met again with Waste Management to discuss the remainder of their contract. Waste Management explained the challenges they have faced in recent months – and particularly in recent weeks – due to the Covid-19 pandemic and the severe labor shortage. They discussed their obligation – due to public health concerns – to prioritize the collection of household garbage over recycling; and that this prioritization sometimes leads to recycling collection delays due to the current staffing shortage. The City and Waste Management discussed options for improving communication relating to collection delays.

Also discussed at the meeting was the possibility of the City and Waste Management mutually terminating the existing agreement prior to its programmed end date of May 31, 2021. Waste Management stated that, due to recent years' rapid increase in disposal costs, recycling services within the City of St. Augustine Beach are no longer profitable. Waste Management stated they had no objection to terminating the contract by mutual consent prior to its programmed end date. They are also agreeable to continuing to providing recycling services within the current contract time until the City can reliably take over the program, as long as it is understood that the current labor shortage may result in occasional delays in recycling collection.

### **Future City-Provided Recycling Services**

Based upon City Commission direction, the Public Works Department is planning to take over City recycling operations as soon it can reliably provide service to its customers without delay or interruption. As discussed in the May 24, 2021 City Commission workshop, in order to reliably provide recycling service without impacting other functions, Public Works must hire two additional full time employees (FTEs) and purchase (or lease) a new

refuse truck. The proposed FY 2022 budget includes both of these items, however, the two FTEs are only currently budgeted for a partial year as they were planned to come on board upon the expiration of the Waste Management Contract.

#### Additional Refuse Truck

Under normal circumstances, delivery of a newly ordered refuse truck has historically taken six to nine months after the order is placed. The current pandemic and recent nationwide manufacturing delay in the vehicle market makes it probable that delivery of a new refuse truck could take nine months or more. Staff is currently investigating options such as leasing (or leasing to own) a refuse truck to allow the City to take over recycling as soon as possible. Unfortunately, the lease market is constrained at this time, and the date of availability of a leased vehicle is uncertain as of this writing. Regardless of whether the City decides to purchase outright, lease, or lease to own, it is important that the City enter into a commitment as soon as possible to ensure that a refuse truck is available at the earliest possible date.

#### Staffing

If the City desires to take over recycling prior to May 31, 2021, the two budgeted FTE positions will need to be filled at an earlier date. Costs for the hiring of these positions earlier than planned will be offset by savings in recycling contract payments to Waste Management. These exact timing of the filling of these positions will be dependent upon the delivery date of the additional refuse truck.

#### Public Education

Regardless of the exact time of the City's commencement of providing recycling services, public education will be required regarding the following issues:

- Any changes to recycling routes/days
  - In order to optimize collection routes, it may be necessary to make changes to recycling – and potentially solid waste - dates of collection. Changes to the schedule will need to be advertised well in advance to ensure all residents are fully aware of any change.
- Changes to materials collected
  - Many materials currently collected (e.g. glass) have no current recycling market. Though they are technically a recyclable material, they may end up being sent to the landfill, and thereby increase the risk of the entire load being sent to the landfill. Public Works recommends that the recycle program be modified to collect the following materials only:
    - Plastics (Type 1 and Type 2 only)
    - Metals
    - Paper and corrugated cardboard

To effectively make these changes an aggressive public outreach program is needed. This outreach program must commence as soon as possible.

## **ACTIONS REQUIRED**

May of the required items detailed above are contingent upon approval of the FY 2022 budget. As such, the Staff cannot initiate a purchase which would require an expenditure in the upcoming fiscal year without City Commission approval. In order to expedite the initiation of City provided recycling services, the following actions are requested:

1. Approve staff initiating the FY 2022 purchase, lease, or lease to own of a refuse truck to provide citywide recycling.
2. Approve advertising for two additional FY 2022 FTEs to provide citywide recycling services. The two new FTEs are anticipated to be hired no more than two weeks prior to the City commencing "in-house" recycling operations.
3. Authorize staff to begin a public outreach and education campaign discussing pending changes to the recycling program, including, but not limited to, the City providing service, any changes to the route or pick up days, and changes to the materials collected.

**MEMORANDUM**

**TO:** Mayor England  
Vice Mayor Samora  
Commissioner George  
Commissioner Rummell  
Commissioner Torres

**FROM:** Max Royle, City Manager 

**DATE:** August 23, 2021

**SUBJECT:** Public Parking Improvements: Review of Recommendations from the Comprehensive Planning and Zoning Board and Related Matters

**INTRODUCTION**

At your May 24, 2021, meeting, you asked the staff to work with the Comprehensive Planning and Zoning Board to develop a five-year public parking improvements plan. The Board with the Building Official discussed your request at its August 17<sup>th</sup> meeting and approved several recommendations. They are:

1. That the Commission continue to explore opportunities to increase and improve parking.
2. That no currently green-scaped plazas or plazas be altered for parking.
3. That no public parking improvements be put in residential areas.
4. That the City encourage the County to develop parking along the north side of Pope Road.
5. That the prioritized area for parking improvements be the plazas on the west side of A1A Beach Boulevard between A and 1<sup>st</sup> Streets in front of Jack's Bar-B-Q.

**ATTACHMENTS**

Attached for your review is the following information:

- a. Pages 1-6, the minutes of that part of your May 24<sup>th</sup> meeting when you discussed parking improvements.
- b. Page 7, a memo from the Building Department's Executive Assistant, Ms. Bonnie Miller, in which she states the recommendations for parking improvements that the Planning Board approved at its August 17<sup>th</sup> meeting.

**FIVE-YEAR PLAN**

The suggested plan is a mix of specific projects and long-term policies. The policies are:

- That the priority be to protect residential areas as much as possible from the disruptions caused by public parking.
- That no currently green-scaped plazas, such as the ones in front of the Best Western Motel between 8<sup>th</sup> and 9<sup>th</sup> Streets, and the ones on the four corners of D Street and the Boulevard, be used for parking.

- That no public parking improvements be put along 2<sup>nd</sup> Avenue except between A and 1<sup>st</sup> Streets, and no public parking improvements be put in the residential area that begins 150 feet west of the centerline of the Boulevard, and in other residential areas, such as along Mickler Boulevard.
- That parking improvements be put on un-green-scaped areas adjacent to condo and commercial developments, such as the north side of 4<sup>th</sup> Street by the Island South condos.
- That the City encourage and work with the County to build parking improvements along the north side of Pope Road from A1A Beach Boulevard westwards to a point to be determined.

The specific projects are:

- a. Fiscal Year 2022: The plazas on the west side of the Boulevard between A and 1<sup>st</sup> Streets.
- b. Fiscal Year 2023: North side of 4<sup>th</sup> Street from the Boulevard eastwards to the beach.
- c. Fiscal Year 2024: Unimproved plaza by the auto repair business, southwest corner of 8<sup>th</sup> Street and the Boulevard.
- d. Fiscal Year 2025: North side of 5<sup>th</sup> Street between the Boulevard and 2<sup>nd</sup> Avenue, adjacent to the Courtyard by Marriott.
- e. Fiscal Year 2026: Additional parking spaces for Ocean Hammock Park.

PLEASE NOTE: There is money in the proposed FY 22 budget for three parking projects: 1) the plaza at the southwest corner of 8<sup>th</sup> and the Boulevard, 2) the north side of 4<sup>th</sup> Street and 3) the plazas between A and 1<sup>st</sup> Streets.

We suggest that improving the plazas between A and 1<sup>st</sup> Streets be the sole parking improvement project for FY 22. The reasons are: This area has high public visibility and in its current condition is unsightly; it definitely needs to be improved because of flooding and lack of drainage; it could be a complicated project because of elevation issues and the need to make certain the improvements do not cause flooding to adjacent private property; and those complications could increase both engineering and construction costs.

#### ACTION REQUESTED

It is that you discuss the Planning Board recommendations, the administration's suggested policies and five-year plan, and whether the improvement of the plazas between A and 1<sup>st</sup> Streets should be the sole project for FY 22.

In the meantime, Mayor England and the City Manager will work on the letter to the County that you authorized at your August 11<sup>th</sup> meeting, requesting that the Pope Road parking improvements be put in a long-range plan.

## MINUTES FROM MAY 24, 2021

1. Public Parking: Discussion of Where to Allow and Not Allow Parking and Creating Five-Year Plan for Improvements (Presenters: Max Royle, City Manager; Bill Tredik, Public Works Director)

Mayor England introduced Item 2 and asked for a staff report from City Manager Royle.

City Manager Royle stated this item is not about paid parking, only about more accessible parking. He showed in his memo all the parking spaces that could be considered. He advised that the parkette near Jack's BBQ could be considered for a parking improvement project because it floods. A realtor who represents the lots between 4<sup>th</sup> and 5<sup>th</sup> Streets advised that the owner is not going to construct a mixed-use development in that area and would be open to the City purchasing it for \$3 million dollars for the land with ten lots. That would be \$200,000 per lot and the City paid more for the lots on 10<sup>th</sup> Street in 2006 or 2007. He then requested Public Works Director Tredik to give a PowerPoint presentation.

Public Works Director Tredik showed his previous PowerPoint presentation on parking (Exhibit 2) and explained potential parking spaces, improvement of current parking spaces, and construction costs. He advised that there may be grant funding in the next year for these types of projects. He explained that there is a potential of 162 more parking spaces throughout A1A Beach Boulevard. He commented that with the River to the Sea Bike Trail parking will be even more important. Ocean Hammock Park and Hammock Dunes Park will be important places as well for bikers. Hammock Dunes Park has wetlands and has more challenges because of the environmental permitting that is necessary, so it is not on the provided list, but could be in the future.

Mayor England advised that the Vision Plan had potential changes.

Public Works Director Tredik advised that he is aware of the plan but does not know the parking selections from it tonight.

Vice Mayor Samora asked if his list aligns with the parking study that was done a few years back.

Public Works Director Tredik advised that he was not familiar with that study, but he would look at it.

Vice Mayor Samora advised that St. Johns County and the City paid for that and it may be beneficial to see how it coordinates with your information. He asked if Ocean Hammock Park parking would be done in Phase II and when does it have to be done according to the grant.

Public Works Director Tredik advised there are timelines, but the grantors have been generous with the City to extend the timelines. He explained that he extended it for another year or two. They will extend it if the City is showing progress. He advised that he is about to start the restrooms and doing the designs for Phase II currently. He said at some point they will not want to extend, but he is comfortable that the City is in good shape right now.

Commissioner Rumrell spoke with St. Johns County Commissioner Henry Dean regarding Pope Road. He advised that Mr. Howell, the previous Public Works Director, came up with a parking plan for angled parking spots along Pope Road. He asked staff to talk with Mr. Caldwell at St. Johns County to try to stop people from parking on the bend as they come around Embassy Suites. He advised that the parking plan had 20 to 25 parking spaces for Pope Road. He asked if staff and Mr. Caldwell could discuss it at a meeting.

Public Works Director Tredik advised that there was a study done for Pope Road presented a year ago by St. Johns County. He explained that that was back-in parking on the north side. He commented that he did not believe that was in any capital project list currently. He advised that he would like to work with St. Johns County on that. Some of the concerns he had about the study was it brought parking all the way to Mickler Boulevard, which is a residential single-family area.

Commissioner Rumrell advised that he thought it would be good to have St. Johns County and the City work together on that project.

Commissioner Torres advised that he has been advocating for parking improvements on A1A Beach Boulevard and A Street on the west side of the Boulevard. The aesthetics are inconsistent between the east and west side of the Boulevard regarding the bathrooms. The entrance of 1<sup>st</sup> Street gets very congested with parking. He explained that the area is not functional, and he would like disciplined parking even if parking spaces will be less. He would like this as a high priority. He also would like to improve parking on 1<sup>st</sup> Street and A1A Beach Boulevard as well.

Mayor England advised that Pier Park is a place for the events and parking is needed. On A Street there is supposed to be like a Town Center. The Vision Plan had a lot of suggestions how to improve the look of that area. It was supposed to be a focal point of the City. She suggested to write a plan and give it to the Comprehensive Planning and Zoning Board to help prioritize the projects. The beach goers can drive on the beach and City Manager Royle has counted 500 spaces. She suggested having more parking on the north end of the City for when the City has events and wanted to prioritize A Street, 16<sup>th</sup> Street, and areas closer to Pier Park. That way there are more spaces for events like Music by the Sea and for beach goers. She requested a point system in writing as a five-year plan and bring it to the Comprehensive Planning and Zoning Board.

Public Works Director Tredik advised as the budget season is approaching, he has parking improvements in the primarily budget, but not which project. He said that 4<sup>th</sup> Street was the easiest to implement; however, if the Commission would like him to move forward with A Street, he could do the design and permitting in next year's budget and research funding opportunities for construction the following year. He explained that if we do the total project, it might be more than the budget would allow in one year.

Vice Mayor Samora advised that the Commission has been talking about parking for a long time and not making much progress. He said that there are two categories, one is improvement of aesthetics and functionality like A Street and 4<sup>th</sup> Street, which do not add to the parking, and the other is adding parking spaces. He would be disappointed if there was only a design and not add parking spaces. He would like to look at both and would like a plan that shows additional parking spaces in this budget cycle.

Public Works Director Tredik advised that that would cost more in the budget this year.

Mayor England agreed with adding parking spaces where the City has their events. She explained that the list has 16<sup>th</sup> Street, 8<sup>th</sup> Street, and 4<sup>th</sup> Street, but a point system must be done to prioritize and then given to the Comprehensive Planning and Zoning Board and then bring it back to the Commission.

Mayor England opened the Public Comment section. The following addressed the Commission:

Brud Helhoski, 691 A1A Beach Blvd., St. Augustine Beach, FL, advised that his concern is people coming off A Street and driving up to Jacks BBQ. He explained that parking spaces will be lost, but he would like the handicap spaces to be in front of the older part of Jacks BBQ and facing towards Jacks BBQ. He asked that when the lot is improved, to please let him know and do it during off-season. He explained that 70% of the parking spaces are taken by employees of the local area and filled up before the beach traffic starts. At night it empties out and the majority of the people come to Jacks BBQ. He would not like traffic to go directly in front of Jacks BBQ.

Mayor England closed the Public Comments section and asked if most of the customers at Jacks BBQ are pedestrian walkups.

Mr. Helhoski advised yes, also bicyclist, pedestrian, motorcyclist, and scooters. He said when he charged for parking in his back lot there was still room for his customers. Holiday weekends were the only time it was full.

Mayor England asked if the parking behind the restaurant is going to be improved.

Mr. Helhoski advised yes, but in the future because he has his hands full right now.



Public Works Director Tredik advised that there will be at least four parking spaces lost at Jacks BBQ because traffic cannot come out at the intersection. When the design work is completed, we will work with the community around there for the best options.

Mayor England advised that safety is essential and do not forget a buffer needs to be on A1A Beach Boulevard, which could be a fence with a vine instead of bushes.

City Manager Royle recapped that the Commission wants a five-year parking plan, to put in the FY22 budget designing and permitting, improving existing parking spaces, and finding more parking spaces.

Mayor England also mentioned to create a point system through the Comprehensive Planning and Zoning Board which will come back to the Commission.

City Manager Royle advised that for FY22, staff can focus on the 8<sup>th</sup> Street plaza because that is significant as well as Ocean Hammock Park which will give 20 more parking spaces.

Mayor England said that parking spaces are important at Pier Park.

City Manager Royle advised that he and Mr. Tredik will have a meeting with St. Johns County regarding Pope Road in order to get more spaces by Pier Park.

Mayor England asked about 16<sup>th</sup> Street having more parking spaces.

City Manager Royle advised that there is one row of parking on 16<sup>th</sup> Street already.

Mayor England asked about 8<sup>th</sup> Street.

Public Works Director Tredik said that there is potential for ten parking spaces in front of Seaside Anastasia at 16<sup>th</sup> Street. That project would cost approximately \$40,000 - \$50,000 for ten parking spaces. He explained that one of those streets could be put in the budget for design phase next year. The Commission could approve the ranking and then the projects could start.

Vice Mayor Samora explained that he wants new parking spaces not design and permitting. If there is not enough in the budget, then the City will have to sort that out. Public Works Director Tredik advised that he will budget for actual construction.

Vice Mayor Samora advised that he wants to have a point system, take it to the Comprehensive Planning and Zoning Board and come back to the Commission at the next meeting. Keep this on track so that we can add parking for next fiscal year to the budget.

City Manager Royle advised that 8<sup>th</sup> Street on the west side the Commission should keep in mind how much parking the Commission wants versus beautification. There are nicely

landscaped plazas along the Boulevard that contribute to the City's look. The D Street plaza is in front of a house and the owner may not want a parking lot in front of her front door. There are several things to consider.

Mayor England advised that that should be a part of the Vision Plan and Comprehensive Planning and Zoning Board should agree with what plazas should remain landscaping or rest areas for pedestrians and what should be additional parking spaces.

Commissioner Torres thought that parking improvements have been in the budget for years. He agreed with City Manager Royle that he does not want the Boulevard to be only parking spaces for events. He understands high traffic events, but vision was the Pier Park area is not appealing. There is sand on the Boulevard every morning and he was hoping to get that done in this budget year.

City Manager Royle advised that there will be a two-direction project, improvement of existing parking spaces and acquisition of new parking spaces. He commented to the Commission the problem with the community garden on the plaza on 1<sup>st</sup> Street and A Street. If parking is proposed there, there will be the same problems and recommended not to look at those plazas for the time being.

Mayor England advised that the walk space on 2<sup>nd</sup> Avenue should be preserved as much as possible. She would like to keep in mind the Vision Plan regarding A Street as the Town Center and work with the community to improve that.

City Manager Royle advised that residents are complaining about people parking along 2<sup>nd</sup> Avenue, so "No Parking" signs have been put up.

Vice Mayor Samora asked how many parking spaces on 2<sup>nd</sup> Avenue.

City Manager Royle advised that it is hard to tell because people park in a lot of different directions. The City put new signs up between A Street and C Street because of residents' complaints, which took away parking spaces.

Commissioner Rumrell advised that there must be a balance. Have the Boulevard look nice, but if we do not add spaces then people park in the residents' neighborhoods. The goal is to get people out of the neighborhoods and into the streets. Maybe there could be a hybrid plan with the plazas and the parking lots to get people from parking in neighborhoods. He suggested working with St. Johns County regarding the bend on Pope Road where people walk out, and cars are going 45 mph on a curve.

City Manager Royle advised that working with St. Johns County would be a key priority to have them put parking on Pope Road in their capital plan.

Vice Mayor Samora agreed with a balance and the City needs a five-year plan that allocates money for improvements, whether is it aesthetic improvements such as A Street and 4<sup>th</sup> Street and to have additional parking as well. He commented that the City has enough park lands and parkettes to create a balance. He would like some movement and a long-range plan for it.

Mayor England asked to include in the plan the number of parkettes, the number dedicated to landscaping and rest spots, and the number of parkettes that would be developed for parking.

Public Works Director Tredik advised that he has the direction that is needed.

# MEMO

**To:** Max Royle, City Manager  
**From:** Bonnie Miller, Executive Assistant  
**Subject:** Priority List of Projects for Public Parking Improvements  
**Date:** Wednesday, August 18, 2021

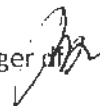
Please be advised at its regular monthly meeting held Tuesday, August 17, 2021, the City of St. Augustine Beach Comprehensive Planning and Zoning Board voted unanimously to recommend to the City Commission the Board's suggestions for creating a priority list of projects for a five-year plan for public parking improvements.

Continued and tabled from the Board's June 15, 2021 and July 20, 2021 regular monthly meetings, the Board was directed by the City Commission to discuss, review, and provide a priority list of projects for a five-year plan of parking improvements, based on an overview of current and proposed parking areas prepared by Public Works Director Bill Tredik.

The motion to recommend the City Commission continue to explore opportunities for increased and improved parking, not alter any improved or currently green-scaped plazas or residential areas, encourage continued involvement with St. Johns County's efforts to develop parking opportunities on the north side of Pope Road, and prioritize improved public parking on the City plaza on the northwest corner of A Street and A1A Beach Boulevard (in front of Jack's Bar-B-Que), was made by Mr. Kincaid, seconded by Ms. Odom, and passed 6-0 by unanimous voice-vote.

## MEMORANDUM

**TO:** Mayor England  
 Vice Mayor Samora  
 Commissioner George  
 Commissioner Rumrell  
 Commissioner Torres

**FROM:** Max Royle, City Manager 

**DATE:** August 23, 2021

**SUBJECT:** Helium Balloons: Request to Ban Outdoor Release of Them

On behalf of the Sustainability and Environmental Planning Advisory Committee, Ms. Lana Bandy, Vice Chair, asks that you have an ordinance to ban the outdoor release of helium balloons in the City. For your discussion, she has provided the following information:

- a. Pages 1-2, her August 22, 2021, email, in which she outlines the background for her request.
- b. Pages 3-6, St. Augustine's recently passed ordinance, 2021-14, which bans the intentional release of any helium or light-than-air gas-filled balloons in that city.
- c. Pages 7-11, a July 26, 2021, St. Augustine Record article about that city's helium balloon ordinance, 2021-14.
- d. Page 12, an email from Ms. Nicole Crosby, Chair of the St. Johns Soil and Water Conservation District.
- e. Pages 13-14, the Soil and Water Conservation District's resolution to support the strengthening of regulations concerning the release of helium balloons.
- f. Pages 15-18, Atlantic Beach's ordinance to prohibit the outdoor release of balloons and sky lanterns.
- g. Pages 19-20, Fernandina Beach's ordinance to prohibit the outdoor release of helium-filled balloons.
- h. Pages 21-24, Neptune Beach's ordinance to prohibit the outdoor release of balloons and sky lanterns.
- i. Pages 25-27, which show the Surfrider Foundation First Chapter's support of Neptune Beach's ordinance.

Ms. Bandy will be at your September 13<sup>th</sup> meeting to present her request and explain the attached information.

### ACTION REQUESTED

It is that you discuss Ms. Bandy's request with her and that you then decide whether the City Attorney should prepare an ordinance to ban the outdoor release of helium-filled balloons.

**Max Royle**

---

**From:** Lana Bandy <lcbandym@yahoo.com>  
**Sent:** Sunday, August 22, 2021 5:02 PM  
**To:** Comm England; Comm Samora; Ernesto Torres; Comm Rumrell; Comm George  
**Cc:** Max Royle; Dariana Fitzgerald  
**Subject:** OUTSIDE ATTACHMENT:Potential Agenda Item -- Balloon Ban  
**Attachments:** StA Balloon Ban Draft Ordinance August 2021.pdf

\* \* \* \* \* This message originated from outside of your organization! DO NOT click any links or open any attachments unless you validate the sender and know the content is safe. Please forward this email to IT@cityofsab.org if you believe the email is suspicious. \* \* \* \* \*

Dear City Commissioners,

I'm writing on behalf of the Sustainability and Environmental Planning Advisory Committee (SEPAC) regarding a potential new ordinance disallowing the intentional release of balloons within the City limits.

I was contacted by some area residents who heard about the recent bans that other cities in Northeast Florida – including St. Augustine – have enacted. These citizens asked that SEPAC discuss the topic, which we have done. I would now like to bring it to your attention and ask that you consider the ban and add the topic to your September 13 agenda. I would be happy to make a short presentation at the meeting.

What goes up, must come down, and we find a lot of balloons on our beaches and in our rivers, which can cause many environmental issues (animal ingestion, entanglement, etc.). They can also wreak havoc with electrical lines, causing power outages. As you know, the City of St. Augustine Beach does ban balloon releases at events that are held on the beach (according to the event form large groups need to complete), so this new ordinance would be just an extension of that.

The City of St. Augustine adopted a balloon release ban ordinance August 9. Attached is an information packet that includes the ordinance's language as well as some supporting materials. I'm also including some facts about the negative impacts of helium balloons on the environment (below).

Please contact me if you have any questions, and thank you for your consideration. I hope to talk with you about this potential ordinance soon, so please let me know if the topic can be added to your next meeting agenda.

Best,  
Lana Bandy  
Vice Chair, SEPAC

**Helium Balloons Fact sheet with citations in blue**

Helium balloons can travel thousands of miles and create a blight in pristine, remote areas.

Latex and mylar balloons released outdoors kill countless animals that become entangled in the string or attempt to ingest the balloon. Experts rated balloons the single most deadly debris to sea birds and third most deadly to sea turtles and marine mammals. Balloons are also unintentionally sucked into hay bailers and ingested by livestock.

OceanConservancy.org *How Dangerous is Ocean Plastic?* [tinyurl.com/9rwyahfm](http://tinyurl.com/9rwyahfm)

ScienceDaily.com *Balloons the number 1 marine debris risk...* [tinyurl.com/dkxahpd6](http://tinyurl.com/dkxahpd6)

King 5 TV *Balloon pollution dangerous for farm animals...* [tinyurl.com/4rnhyd26](http://tinyurl.com/4rnhyd26)

Mylar balloons can cause power outages when caught on power lines. In Kissimmee, Florida, a total of 4,200 homes and businesses have lost power in three separate incidents of balloons entangling in power lines according to KUA. In one case, a balloon caught fire, creating a small fire where it landed. Many outages have also occurred in the Florida Keys due to mylar balloons.

KUA *Mylar Balloons Spark Power Outage in Kissimmee* [tinyurl.com/369f2yps](http://tinyurl.com/369f2yps)

UPI *Runaway balloon blamed for Florida Power Outage* [tinyurl.com/xj3mpynn](http://tinyurl.com/xj3mpynn)

WFTV9 *Balloon causes temporary power outage...* [tinyurl.com/4twsdmdp](http://tinyurl.com/4twsdmdp)

KeysNews.com *Balloons are a hazard* [tinyurl.com/cttfsmc2](http://tinyurl.com/cttfsmc2)

Florida has more miles of coastline than any other state in the lower 48, and 90% of all nesting sea turtles in the U.S. nest on Florida's beaches; sea turtles ingest balloons, mistaking them for jellyfish. All sea turtles worldwide are threatened or endangered.

Florida and six other states have laws restricting the release of balloons, similar to Florida's law which allows no more than 10 balloons to be released per 24 hours by any person, firm or corporation. (Florida Statute 379.233) Due to the devastating impact of balloons, Virginia legislators passed a bi-partisan law banning the release of any helium balloons. It awaits the Governor's signature.

Florida Statute 379.233 *Release of balloons.* <https://tinyurl.com/ekf9znru>

At least three Northeast Florida coastal communities have expanded their litter ordinances to ban the release of helium balloons. (Atlantic Beach, Neptune Beach, Fernandina Beach.)

Balloon releases are planned for celebratory purposes (graduations, weddings) and as vigils. If a complete ban on balloon releases is passed in Florida, the group dynamic will assist with enforcement. These are not traditional litterers who flout the law.

A ban on balloon releases would have a negligible impact on the balloon and party industry since nearly all balloons are purchased for indoor decoration.

So-called biodegradable balloons take up to four years to biodegrade and, therefore, cause the same injury to animals as non-biodegradable balloons.

**CITY OF ST. AUGUSTINE**

**MEMORANDUM**

TO: John P. Regan, City Manager

DATE: July 13, 2021

RE: **ORDINANCE 2021-14: RELEASE OF BALLOONS**

Please find enclosed Ordinance 2021-14 that disallows the intentional release of any helium or lighter-than-air gas filled balloons into the air within the city limits of the City of St. Augustine. Violations of this ordinance would be punishable as civil infractions.

Please place Ordinance 2021-14 on the regular City Commission agenda for second reading on August 9, 2021.

Thank you.



---

Isabelle C. Lopez  
City Attorney

Attachment

xc: Meredith Breidenstein, Assistant City Manager  
Darlene Galambos, City Clerk *(with original)*

**Agenda Title:**

Disallowing the intentional release of balloons within the city limits



**ORDINANCE NO. 2021-14**

**AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING ARTICLE I, CHAPTER 22, SECTION 22-2 OF THE CODE OF THE CITY OF ST. AUGUSTINE; PROVIDING FOR DISALLOWANCE OF THE INTENTIONAL RELEASE OF HELIUM FILLED BALLOONS WITHIN THE CITY LIMITS; PROVIDING FOR PENALTIES; PROVIDING FOR INCLUSION IN THE CODE OF THE CITY OF ST. AUGUSTINE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, § 166.041, Florida Statutes, provides for procedures for the adoption of ordinances and resolutions by municipalities; and

**WHEREAS**, the release of helium, foil, mylar or "biodegradable" balloons into the atmosphere has a deleterious effect on the environment when the balloons inevitably deflate; and

**WHEREAS**, these balloons inevitably return to our land and to our waterways as litter, they can travel thousands of miles, and create a blight in pristine, remote areas; and

**WHEREAS**, these balloons, many of which land in rivers, streams, marshes, and the oceans, represent one of the most common and destructive forms of floating garbage; and

**WHEREAS**, even biodegradable balloons can take up to four years to decompose and therefore cause the same injury to animals as non-biodegradable balloons; and

**WHEREAS**, latex and mylar balloons released outdoors kill countless animals that become entangled in the string or attempt to ingest the balloon; and

**WHEREAS**, experts rate balloons the single most deadly debris to sea birds and third most deadly to sea turtles and marine mammals; and

**WHEREAS**, Florida has more miles of coastline than any other state in the lower forty-eight and 90% of all nesting sea turtles in the U.S. nest on Florida's beaches; and

**WHEREAS**, sea turtles ingest balloons, mistaking them for jellyfish thereby threatening and endangering all sea turtles worldwide; and

**WHEREAS**, mylar balloons can cause power outages when caught on power lines. In Kissimmee, Florida, a total of 4200 homes and businesses have lost power in three separate

incidents of balloons entangling in power lines according to the Kissimmee Utility Authority. Many outages have also occurred in the Florida Keys due to mylar balloons; and

**WHEREAS**, the Florida Legislature in Florida Statutes section 379.233 found that the release of balloons poses a danger and nuisance to the environment, particularly to wildlife and marine animals; and

**WHEREAS**, a ban on balloon releases would have a negligible impact on the balloon and party industry, since nearly all balloons are purchased for indoor decoration; and

**WHEREAS**, the City Commission of the City of St. Augustine believes balloon releases should be prohibited to protect the air, land, and waters of the City; and

**WHEREAS**, the City Commission for the City of St. Augustine finds that it is in the best interest of public health, safety, and general welfare that the following amendments be adopted consistent with the requirements of Section 166.021(4), Florida Statutes.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION FOR THE CITY OF ST. AUGUSTINE, FLORIDA, AS FOLLOWS:**

Section 1. Amending Chapter 22, Article I, Section 22-2. Chapter 22, Article I, Sections 22-2 is hereby amended, as follows:

**Sec. 22-2. - Littering.**

(a) It shall be unlawful for any person to throw, place, deposit or allow to fall or drain into or on any street, lane or alley, or the sidewalks of any street or lane, or the public places of the city, the peel, rind or covering of any fruit, vegetable or melon, or any garbage, trash, offal, wastepaper, dodger, printed circular, litter sweepings, crustacea or mollusks, including drainage therefrom, or waste of any kind, or to leave thereon or therein an unreasonable time any sink, barrel, box or receptacle for garbage, slop water or waste of any kind, liquid or solid.

(b) It shall be unlawful for any person, group, or corporation to intentionally release any helium or lighter-than-air gas filled balloons into the air within the city limits except for:

1) Balloons released by a person on behalf of an educational institution, governmental agency or pursuant to a governmental contract for scientific or meteorological purposes.

(c) Offenses under this section shall be punishable as a civil infraction with a penalty of no more than one hundred dollars (\$100.00) per violation.

Section 2. Inclusion in Code. The City Commission intends that the provisions of this Ordinance shall become and shall be made part of the Code of the City of St. Augustine, that the sections of this Ordinance may be re-numbered or re-lettered and that the word ordinance may be changed to section, article or other such appropriate word or phrase in order to accomplish such intentions.

Section 3. Conflict with Other Ordinances. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. Severance of Invalid Provisions. In the event that any section, subsection, sentence, clause, phrase, word, term or provision of this Ordinance shall be held by a court of competent jurisdiction to be partially or wholly invalid, unconstitutional or unenforceable or involved for any reason whatsoever, any such invalidity, unconstitutionality, illegality, or unenforceability shall not affect any of the other or remaining terms, provisions, clauses, sentences, or sections of this Ordinance, and this Ordinance shall be read and/or applied as if the invalid, unconstitutional, illegal, or unenforceable section, subsection, sentence, clause, phrase, word, term or provision did not exist.

Section 5. Effective Date. This Ordinance shall become effective ten (10) days after passage, pursuant to Section 166.041(4), Florida Statutes.

**PASSED** by the City Commission of the City of St. Augustine, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

ATTEST:

\_\_\_\_\_  
Tracy Upchurch, Mayor-Commissioner

\_\_\_\_\_  
Darlene Galambos, City Clerk  
(SEAL)

## ENVIRONMENT

# St. Augustine seeks balloon ban in proposed ordinance to help wildlife, environment

*City seeks to join ranks of local governments fighting pollution of waterways*

**Sheldon Gardner** St. Augustine Record

Published 9:18 p.m. ET Jul. 25, 2021

Spend an afternoon on one of St. Johns County's picturesque waterways and chances are you'll encounter a balloon or two, a troubling statistic for local environmental activists.

Adam Morley sees them frequently as a captain of the Litter Gitter, a boat he uses to haul garbage away from local rivers and inlets with the help of people on his tours.

"We pick up a ton of balloons on our Litter Gitter trips," he said.

**Places to see:** Nearly 60-acre Fish Island Preserve is open for visitors in St. Augustine

**Environment:** St. Augustine joins National Wildlife Federation pledge to boost monarch butterfly numbers

**Birding:** Thousands of birds spotted in St. Augustine in annual count

People release balloons during celebrations and other occasions. People also use balloons locally to help with fishing, which Morley described as intentional littering.

But what some might not realize is that creatures get caught in the string or eat the balloons or balloon fragments, which can injure or kill them. Balloons contribute to the hefty amount of garbage on beaches and in the ocean or rivers.

In response to the issue, the city of St. Augustine is looking to join other local governments in banning the release of balloons.

St. Augustine Commissioner Barbara Blonder proposed the ordinance, which passed on first reading — one more reading is required to enact the ordinance.

"Less litter and less harm to wildlife is something that I think the vast majority of people can get on board with," Blonder said.

## **State law and the city's proposal**

State law prohibits releasing 10 or more balloons filled with lighter-than-air gas within a 24-hour period, with a few exceptions, such as a government agency pursuing scientific research, people releasing balloons indoors or releasing "biodegradable" or "photodegradable" balloons.

Violations of the law are a noncriminal offense punishable by a fine of \$250.

Blonder called the state law "a pretty minimal restriction."

"if each person at a party releases 10 ... then you've got hundreds of balloons easily," she said.

The city's proposed ordinance takes it further, banning the release of any balloons.

The proposed ordinance says, "It shall be unlawful for any person, group or corporation to intentionally release any helium or lighter-than-air gas-filled balloons into the air within the city limits."

Violators face a fine of up to \$100 per violation.

The introduction to the city's proposed ordinance says that even balloons marketed as biodegradable harm wildlife. And aside from the damage to wildlife, "Mylar balloons can cause power outages when caught on power lines. In Kissimmee, Florida, a total of 4,200 homes and business have lost power in three separate incidents of balloons entangling in power lines, according to the Kissimmee Utility Authority."

Among those supporting the proposed ordinance is Ponte Vedra Beach resident Nicole Crosby.

Crosby has also been collecting signatures for a petition to submit to the St. Johns County Commission to prohibit the release of helium balloons outdoors.

"With its 40 miles of coastline, St. Johns County's proximity to the Atlantic Ocean makes it all the more urgent that we take this step to protect marine life," the petition states. "Even releasing between one and 10 balloons (allowed by state law) can be fatal for wildlife that becomes entangled in the strings or ingests the latex or Mylar balloons."

Crosby said she has collected about 500 signatures so far. View the petition at [tinyurl.com/eh78vven](https://tinyurl.com/eh78vven).

Atlantic Beach, Neptune Beach and Fernandina Beach have similar rules to St. Augustine's proposal. St. Augustine Beach does not. Other states with bans or restrictions on balloon launches include California, Connecticut, Tennessee and Virginia, according to the Associated Press.

## **How plastic affects turtles**

The Sea Turtle Hospital at University of Florida Whitney Laboratory sees firsthand the effects of pollution, including balloons, in the ocean and local waterways.

The hospital, located along the coastline near the border of St. Johns and Flagler counties, rehabilitates injured or sick sea turtles, conducts research and provides education for sea turtle conservation.

When turtles don't survive, the hospital performs a necropsy, said Catherine Eastman, sea turtle program manager.

The hospital published a scientific paper on "post-hatchlings" that made it to the ocean, but eventually washed back ashore.

Hospital staff examined the stomach contents of 42 post-hatchling loggerhead turtles that died during the August-November nesting seasons in 2016 and 2017. Plastics were found inside of 39 of those post-hatchlings, according to the report. Balloon pieces were among the items in their stomachs, though hard plastics were the most common type of plastic found.

The cause of death for the turtles was undetermined, according to the report, but ingesting the plastics could have contributed to their demise or at least made it more difficult for them to thrive.

"Man-made plastic products are continuing to enter the marine environment at unprecedented scales and are dramatically impacting coastal marine life," the report stated. "We have confirmed that vulnerable early life-stage loggerhead post-hatchlings ingest plastic debris in potentially harmful quantities, including fragment sizes that are not easily passed through their GI tract."

## Help protect sea life

Many types of garbage are damaging waterways and oceans.

The International Coastal Cleanup brings people and organizations across the globe together for the annual event.

The nonprofit Ocean Conservancy leads the effort. In 2019 in Florida, 39,789 people pulled 250,308 pounds of trash from beaches and waterways as part of the effort, according to the organization's 2020 report. They collected 188,300 cigarette butts; 60,828 food wrappers; 110,241 plastic bottle caps; 38,273 plastic beverage bottles; and 41,360 straws or stirrers.

In the Matanzas River, Morley and his crews have found Styrofoam fragments; convenience store cups; aluminum cans; plastic bottles and bags; and other plastic fragments, he told The Record in 2019.

On a trip in June of that year in the south Matanzas River, volunteers collected more than 100 pounds of trash, including six plastic bags; 10 Styrofoam cups and a to-go box; 22 aluminum beer and soda cans; 12 ropes; a crab trap; six shoes; and two toothbrushes.

## 'Balloons Blow'

Mary Vosburgh, of Jensen Beach, and her family have been cleaning up Hutchinson Island beaches for more than 20 years.

Back when they first started, they rarely found a balloon on beach cleanups, she said. But they started to see a lot more, so they started the nonprofit Balloons Blow, which focuses on educating "people about the destructive effects released balloons have on animals, people and the environment, and strives to inspire and promote an eco-conscious lifestyle."

Vosburgh said, "Releasing balloons is littering. It should be included in the already existing littering laws."

According to Balloons Blow, even balloons "falsely marketed as 'biodegradable latex,' return to Earth as ugly litter. They kill countless animals and cause dangerous power outages."

Instead of releasing balloons, the organization encourages people to seek alternatives.

"There are many alternatives that will not pollute the Earth or harm animals," according to the organization. "We can opt for reusable banners, flags, ribbon dancers, pinwheels. For

memorials and fundraisers, we can plant trees, gardens or build birdhouses — actions that promote life. Perhaps organize a clean-up in a loved one's honor or blow bubbles."

## **Spreading the word**

If adopted in St. Augustine, it's not clear yet how many people might actually get a ticket for releasing a balloon. But Blonder said she sees the proposed ordinance as a way to educate people about the issue instead of punishing them, even though the ordinance allows for a fine.

Many people in the city are nature lovers, she said. Some community members helped save Fish Island, a nearly 60-acre preserve next to the State Road 312 bridge.

"We just have such a special environment, and having the opportunity to do what we can to protect it while allowing people to enjoy it I think is something we all want to emphasize," Blonder said.



## Shanna Lee

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**From:** Nicole Crosby <nicole.sjswcd@gmail.com>  
**Sent:** Tuesday, June 29, 2021 4:11 PM  
**To:** Isabelle Lopez; Shanna Lee  
**Subject:** Helium balloon resolution  
**Attachments:** Balloon Resolution Revise PDF.pdf; Balloon Resolution Revise.docx

Ms. Lopez,  
I received your request to Gina Allen for our Helium Balloon Resolution.

I'm attaching the PDF as well as the word doc in case you want to copy and paste any of it - you're welcome to do so. I would be very interested in seeing your proposed ordinance if you can send me a draft (I would not circulate it, but would be interested in knowing what you're proposing.)

You will find online the new litter ordinances for Fernandina Beach, Atlantic Beach and Neptune beach - all of which have banned intentional helium balloon releases. If you have any problem finding them online, let me know. I've tracked them down before.

I believe one of them does not ban what is known as biodegradable balloons. I would strongly encourage you to include them in the ordinance since they take at least one year to biodegrade. I can find the citation for that if you need it. Obviously they would harm animals and create a blight before they break down. I believe the state allows biodegradable balloons with no string. But that requires education and enforcement, and few will know about it.

One criticism I've seen is that the state law is not enforced. However, I believe that's because the state law only impacts corporations and large event planners, and the intent is to stop balloons from being released by the hundreds at games and the like. It does not seek to stop residents from releasing balloons. So the corporations and schools know the law and therefore don't require enforcement. However, the residents are free to go out and release ten balloons apiece. They could each release a balloon at a vigil or a graduation and not violate the law. This is why the law needs to be strengthened.

In my opinion, the signs and news reports announcing a balloon release ban would go a long way towards stopping balloon releases. Enforcement may not be necessary. Even if a large crowd is gathered at the beach with balloons in hand, a citizen could inform them that it's now illegal. If the crowd plans the release anyway, the police could be called to the scene. I don't think it would come to that. 85% of the people who plan balloon releases are women. This is not a cigarette butt-flinging demographic. I believe there would be respect for a clear, non-ambiguous ordinance banning all balloons. The ten balloons per person per day is so weak, it doesn't send the message that balloons are litter and dangerous.

One more thing...Virginia conducted a 5-year study before they strengthened their balloon ban to make balloons illegal. You might want to take a look at that study: <http://www.longwood.edu/cleanva/images/Balloon%20Litter%20on%20VAs%20Remote%20Beaches%208-2018%20Report%20for%20web.pdf>

Thanks for your interest in our resolution. I'd be interested in your feedback.

Best regards,

Nicole Crosby  
Chair, St. Johns Soil and Water Conservation District  
All emails to and from this email address are public information.

**St. Johns Soil & Water Conservation District  
Proposed Resolution for SWCD's Restriction on Helium Balloon Releases**

**WHEREAS** the purpose of SWCD's, according to state statute, includes protection of water, land and wildlife.

**WHEREAS** released helium balloons, including those marketed as biodegradable, return to our land and to our waterways as litter. They can travel thousands of miles and create a blight in pristine, remote areas.

**WHEREAS** latex and mylar balloons released outdoors kill countless animals that become entangled in the string or attempt to ingest the balloon. Experts rated balloons the single most deadly debris to sea birds and third most deadly to sea turtles and marine mammals. Balloons are also unintentionally sucked into hay bailers and ingested by livestock.\*

**WHEREAS** mylar balloons can cause power outages when caught on power lines. In Kissimmee, Florida, a total of 4200 homes and businesses have lost power in three separate incidents of balloons entangling in power lines according to KUA. In one case, a balloon caught fire, creating a small fire where it landed. Many outages have also occurred in the Florida Keys due to mylar balloons.\*\*

**WHEREAS** Florida has more miles of coastline than any other state in the lower 48, and 90% of all nesting sea turtles in the U.S. nest on Florida's beaches; sea turtles ingest balloons, mistaking them for jellyfish. All sea turtles worldwide are threatened or endangered.

**WHEREAS** Florida and six other states have laws restricting the release of balloons, similar to Florida's law which allows no more than ten balloons to be released per 24 hours by any person, firm or corporation.\*\*\* Due to the devastating impact of balloons, Virginia legislators passed a bi-partisan law banning the release of any helium balloons. It awaits the Governor's signature.

**WHEREAS** at least three Florida coastal communities in Area 3 have expanded their litter ordinances to ban the release of helium balloons. (Atlantic Beach, Neptune Beach, Fernandina Beach.)

**WHEREAS** balloon releases are planned for celebratory purposes (graduations, weddings) and as vigils. If a complete ban on balloon releases is passed in Florida, the group dynamic will assist with enforcement. These are not traditional litterers who flout the law.

**WHEREAS** a ban on balloon releases would have a negligible impact on the balloon and party industry since nearly all balloons are purchased for indoor decoration.

**WHEREAS** so-called biodegradable balloons take at least one year to biodegrade and therefore cause the same injury to animals as non-biodegradable balloons.

**NOW, THEREFORE, BE IT RESOLVED** that the Association of Florida Conservation Districts (Area 3) SWCDs advocate for strengthening Florida's existing balloon release law. Due to its environmentally sensitive lands, waterways and great diversity of wildlife, Florida should lead the way with a more stringent law on balloon releases – matching Virginia's law, but additionally banning so-called "biodegradable" balloons. (Weather and science balloons are exceptions.)

\*<https://oceanconservancy.org/blog/2016/01/12/how-dangerous-is-ocean-plastic/>

<https://www.sciencedaily.com/releases/2019/03/190301084847.htm>

<https://www.king5.com/article/tech/science/environment/balloon-pollution-threatening-livestock-and-wildlife-in-carnation/281-588896532>

\*\*Kissimmee Utility Authority <https://kua.com/news/mylar-balloons-spark-power-outage-in-kissimmee/>

[https://www.upi.com/Odd\\_News/2016/01/06/Runaway-balloon-blamed-for-Florida-power-outage/2891452092456/](https://www.upi.com/Odd_News/2016/01/06/Runaway-balloon-blamed-for-Florida-power-outage/2891452092456/)

<https://www.wftv.com/news/local/balloon-causes-temporary-power-outage-in-kissimmee/486265076/>

[https://www.keysnews.com/community/balloons-are-a-hazard/article\\_0b27806e-b8ac-11eb-8894-cb8c06e3c159.html](https://www.keysnews.com/community/balloons-are-a-hazard/article_0b27806e-b8ac-11eb-8894-cb8c06e3c159.html)

\*\*\* Florida Statute 379.233 <https://www.flsenate.gov/Laws/Statutes/2014/379.233>

**ORDINANCE NO. 95-20-118**

**AN ORDINANCE OF THE CITY OF ATLANTIC BEACH, FLORIDA, AMENDING CHAPTER 5 OF THE CODE OF ORDINANCES, BEACHES AND PARKS, BY AMENDING SECTION 5-4, LITTERING, ADOPTING NEW SECTION TO PROHIBIT THE OUTDOOR RELEASE OF BALLOONS AND SKY LANTERNS; PROVIDING FOR ENFORCEMENT AND PENALTIES; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission of the City of Atlantic Beach, has determined that balloons and sky lanterns released into the atmosphere return to the earth as litter; and

**WHEREAS**, the City Commission believes that the release (accidental or intentional) of balloons and sky lanterns into the atmosphere pose a danger and nuisance to the environment and wildlife who may ingest this debris; and

**WHEREAS**, these balloons, many of which land in rivers, streams, marshes and the ocean, represent one of the most common and destructive forms of floating garbage; and

**WHEREAS**, animals, such as sea turtles and other wildlife, mistake the remains from balloons as food which may potentially damage their digestive systems, lead to starvation and/or death; and

**WHEREAS**, even biodegradable balloons do not degrade quickly enough to avoid ingestion of the same by wildlife; and

**WHEREAS**, the City Commission of the City of Atlantic Beach believes balloon and lantern releases should be prohibited in entirety to protect the air, land, and waters of the City; and

**WHEREAS**, the City Commission wishes to prohibit the release of balloons and sky lanterns; and

**WHEREAS**, the City Commission of the City of Atlantic Beach finds that these revisions to the City of Atlantic Beach's code will preserve, promote, and protect the health, safety, and welfare of its citizens.

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION ON BEHALF OF THE PEOPLE OF THE CITY OF ATLANTIC BEACH, FLORIDA that:**

**SECTION 1.** Chapter 5-4, of the Code of Ordinances of the City of Atlantic Beach, Florida is hereby amended as follows:

## Shanna Lee

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**From:** Denise May <dmay@citystaug.com>  
**Sent:** Thursday, July 22, 2021 1:51 PM  
**To:** Shanna Lee  
**Subject:** FW: Helium balloon resolution  
**Attachments:** Atlantic Beach.pdf; Fernandina Beach.pdf; Neptune Beach.pdf

**From:** Nicole Crosby <[nicole.sjswcd@gmail.com](mailto:nicole.sjswcd@gmail.com)>  
**Sent:** Tuesday, June 29, 2021 5:37 PM  
**To:** Isabelle Lopez <[i.lopez@citystaug.com](mailto:i.lopez@citystaug.com)>  
**Cc:** Shanna Lee <[s.lee@citystaug.com](mailto:s.lee@citystaug.com)>  
**Subject:** Re: Helium balloon resolution

Ms. Lopez,

I'm so pleased to learn that you plan to include "biodegradable" balloons in your balloon release ban ordinance.

Biodegradable balloons take anywhere from six months to four years to decompose according to ENC (Environmental Nature Center):

<https://encenter.org/visit-us/programs/birthday-parties/balloons/>

Here's one experiment on biodegradable balloons:

<https://theconversation.com/we-composted-biodegradable-balloons-heres-what-we-found-after-16-weeks-138731>

Here's another - which shows it still exists at 7 years:

<https://balloonsblow.org/biodegradability-backyard-test/>

The Pro Environment Balloon Alliance calls for an end to balloon releases. A co-founder for PEBA states in the documentary "Rubber Jellyfish" that there is no definitive proof that balloons are biodegradable. I plan to watch documentary on my computer: <https://rubberjellyfishmovie.com/>

I hope these links are helpful! (I'm rewording my resolution to say it takes "up to four years" to biodegrade. There was no citation on the article that said "one year."

Nicole

Nicole Crosby  
Chair, St. Johns Soil and Water Conservation District  
*All emails to and from this email address are public information.*

Sec. 5-4. - Littering.

(a) It shall be unlawful for any person to leave any paper, glass, cans, food, fish, crab, cigarette butts, or other type of refuse upon the beach in the city.

(b) It shall be unlawful and shall constitute a nuisance as defined in Chapter 12 of the City's Code of Ordinances for any person to intentionally release, organize the release of, or intentionally cause to be released anywhere within the City, including without limitations the beach and public parks, one or more sky lanterns or balloons inflated with a gas that is lighter than air which includes but is not limited to, helium, with the exception of:

1. Balloons released by a person on behalf of a governmental agency or pursuant to a governmental contract for scientific or meteorological purposes; or
2. Balloons released indoors.

(c) The following terms and phrases shall have the meanings given herein for purposes of this Chapter 5. Words not otherwise defined shall be construed to mean the common and ordinary meaning.

Balloon means a flexible nonporous bag made from materials such as rubber, latex, polychloroprene or nylon fabric that can be inflated or filled with fluid, such as helium, hydrogen, nitrous oxide, oxygen, air or water and then sealed at the neck, usually used as a toy or decoration.

Sky lantern means a device that requires a flame which produces heated air trapped in a balloon-type covering allowing the device to float in the air. Sky lanterns shall not include hot-air balloons used for transporting persons.

(d) Enforcement and Penalties

(i) Notwithstanding any other provisions of the City's Code of Ordinances, the director of public safety shall have exclusive control of enforcement of this section 5-4, and shall issue written citations to persons who violate the provisions of the section.

(ii) Violations of this section shall be punishable by fines as follows:

a. Two hundred and fifty dollars (\$250.00) per balloon or sky lantern, up to a maximum of one thousand (\$1,000.00) for violations of Section 5-4 (b).

b. One hundred dollars (\$100.00) for each piece for each piece of refuse left in violation of Section 5-4 (a), up to a maximum of one thousand dollars (\$1,000.00)

**SECTION 2. Conflict.** All ordinances, resolutions, official determinations or parts thereof previously adopted or entered by the City or any of its officials and in conflict with this ordinance are repealed to the extent inconsistent herewith.

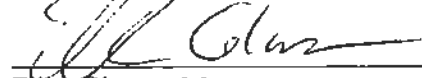
**SECTION 3. Severability.** If a Court of competent jurisdiction at any time finds any provision of this Ordinance to be unlawful, illegal, or unenforceable, the offending provision shall be deemed severable and removed from the remaining provisions of this Ordinance which shall remain in full force and intact.

**SECTION 4. Effective Date.** This ordinance shall take effect upon final reading and approval.

PASSED by the City Commission on first reading this 24<sup>th</sup> day of Feb, 2020.

PASSED by the City Commission on second and final reading this 9<sup>th</sup> day of March, 2020.

CITY OF ATLANTIC BEACH

  
Ellen Glasser, Mayor

Attest:



Donna L. Bartle, City Clerk

Approved as to form and correctness:



Brenna M. Durden, City Attorney

ORDINANCE 2019-19

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, FLORIDA AMENDING THE CODE OF ORDINANCES, CHAPTER 42, ARTICLE III, LITTER, BY CREATING SECTION 42-96 BY PROVIDING FOR PROHIBITION AGAINST BALLOON RELEASES WITH BALLOONS INFLATED WITH A GAS LIGHTER THAN AIR SUCH AS HELIUM; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the release of helium, foil, mylar or "biodegradable" balloons (which have a lifespan of 5-7 years) into the atmosphere has a deleterious effect on the environment when the balloons inevitably deflate;

WHEREAS, these balloons, many of which land in rivers, streams, marshes and the oceans, represent one of the most common and destructive forms of floating garbage;

WHEREAS, both research and local first-hand observation shows that marine life and animals ingest these balloons because they mistake them for jellyfish or other edible resources;

WHEREAS, the U.S. Fish and Wildlife Service regularly issues media notices, warning of the devastating impacts of balloons on wildlife;

WHEREAS, the animals and marine life are not able to process the balloons and choke (or the balloon forms an intestinal obstruction) and the creature is sentenced to a painful death; and

WHEREAS, the City Commission believes that balloon releases should be prohibited in order to protect the air, land, and waters of the City, Nassau County, the State of Florida and other natural resources against environmental contamination and degradation and to protect the health and life of animals, birds, and fish.

NOW THEREFORE BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF FERNANDINA BEACH, AS FOLLOWS:

SECTION 1. It is hereby proposed that the Code of Ordinances, City of Fernandina Beach, Florida, Chapter 42, Article III, Litter, is hereby amended by adding a section to be numbered Section 42-96, which section reads as follows:

**Sec. 42-96. Balloon Release.**

- (a) It is unlawful for any person to intentionally release, organize the release of, or intentionally cause to be released one or more balloons inflated with a gas



that is lighter than air which includes but is not limited to, helium, with the exception of:

- (1) Balloons released by a person on behalf of a governmental agency or pursuant to a governmental contract for scientific or meteorological purposes; or
  - (2) Balloons released indoors.
- (b) Any person who violates or fails to comply with the provisions of this section will be fined \$100.00 by citation as provided in Section 1-12 of this Code of Ordinances.

SECTION 2. All Ordinances or parts of Ordinances and all Resolutions in conflict herewith be and the same are hereby repealed.

SECTION 3. SEVERABILITY In the event any word, phrase, clause, sentence or paragraph hereof is held invalid by any court of competent jurisdiction, such holding will not affect any other word, clause, phrase, sentence or paragraph hereof.

SECTION 4. EFFECTIVE DATE This Ordinance will take effect immediately upon its final enactment.

ENACTED this 24<sup>th</sup> day of September, 2019.

CITY OF FERNANDINA BEACH

John A. Miller  
Commissioner – Mayor

ATTEST:

APPROVED AS TO FORM AND LEGALITY:



Caroline Best  
City Clerk

Tammi E. Bach  
City Attorney

**SPONSORED BY:**

**MAYOR BROWN**



**ORDINANCE NO. 2020-15**

**A BILL TO BE ENTITLED**

**AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA, AMENDING CHAPTER 11 OF THE CODE OF ORDINANCES, GARBAGE, TRASH, AND INDUSTRIAL WASTE, BY AMENDING SECTION 11-2, COMPLIANCE CONSTRUED; POLLUTION OF AIR, ADOPTING NEW SUBSECTION TO PROHIBIT THE OUTDOOR RELEASE OF BALLOONS AND SKY LANTERNS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Neptune Beach, has determined that balloons and sky lanterns released into the atmosphere return to the earth as litter; and

**WHEREAS**, the City Council believes that the release (accidental or intentional) of balloons and sky lanterns into the atmosphere pose a danger and nuisance to the environment and wildlife who may ingest this debris; and

**WHEREAS**, these balloons, many of which land in rivers, streams, marshes and the ocean, represent one of the most common and destructive forms of floating garbage; and

**WHEREAS**, animals, such as sea turtles and other wildlife, mistake the remains from balloons as food which may potentially damage their digestive systems, lead to starvation or death; and

**WHEREAS**, even biodegradable balloons do not degrade quickly enough to avoid ingestion of the same by wildlife; and

**WHEREAS**, the City Council of the City of Neptune Beach believes balloon and lantern releases should be prohibited in entirety to protect the air, land, and waters of the City; and

**WHEREAS**, the City Council wishes to prohibit the release of balloons and sky lanterns; and

**WHEREAS**, the City Council of the City of Neptune Beach finds that these revisions to the City of Neptune Beach's code will preserve, promote, and protect the health, safety, and welfare of its citizens.

Ord. No. 2020-15

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL ON BEHALF OF THE PEOPLE OF THE CITY OF NEPTUNE BEACH, FLORIDA that:**

**SECTION 1.** Chapter 11-2, of the Code of Ordinances of the City of Neptune Beach, Florida is hereby amended as follows:

Sec. 11-2. - Compliance construed; pollution of air.

- (a) It shall be unlawful for any person, housekeeper, storekeeper or the owner or occupant of any premises within the city limits, or their agents, servants or employees, to keep or offer for collection, garbage, refuse or industrial waste in any manner other than as provided in this chapter, or as provided in such rules and regulations as the city manager may prescribe under this chapter.
- (b) It shall be unlawful to keep or offer for collection any garbage, refuse or industrial waste in such manner as to render the air or soil impure or unwholesome, or in any such manner as to cause the premises or any premises adjacent thereto, to become littered or unsightly or dirty or unwholesome, or in any manner to violate the provisions of this chapter. It shall be unlawful for any person to leave any paper, glass, cans, food, fish, crab, cigarette butts, or other type of refuse upon the beach in the city.
- (c) It shall be unlawful for any person to intentionally release, organize the release of, or intentionally cause to be released one or more sky lanterns or balloons inflated with a gas that is lighter than air which includes but it not limited to, helium, with the exception of:
  - (1) Balloons released by a person on behalf of a governmental agency or pursuant to a governmental contract for scientific or meteorological purposes.
  - (2) Balloons released indoors.
- (d) The following terms and phrases shall have the meanings given herein for purposes of this chapter 5. Words not otherwise defined shall be construed to mean the common and ordinary meaning.

*Balloon* means a flexible nonporous bag made from materials such as rubber, latex, polychloroprene or nylon fabric that can be inflated or filled with fluid, such as helium, hydrogen, nitrous oxide, oxygen, air or water and then sealed at the neck, usually used as a toy or decoration.

*Sky lantern* means a device that requires a flame which produces heated air trapped in a balloon-type covering allowing the device to float in

the air. Sky lanterns shall not include hot-air balloons used for transporting persons.

**SECTION 2. Conflict.** All ordinances, resolutions, official determinations or parts thereof previously adopted or entered by the City or any of its officials and in conflict with this ordinance are repealed to the extent inconsistent herewith.

**SECTION 3. Severability.** If a Court of competent jurisdiction at any time finds any provision of this Ordinance to be unlawful, illegal, or unenforceable, the offending provision shall be deemed severable and removed from the remaining provisions of this Ordinance which shall remain in full force and intact.

**SECTION 4. Effective Date.** This ordinance shall take effect upon final reading and approval.

**VOTE RESULTS OF FIRST READING:**

Mayor Elaine Brown	YES
Vice Mayor Fred Jones	YES
Councilor Kerry Chin	YES
Councilor Lauren Key	YES
Councilor Josh Messinger	YES

Passed on First Reading this 7<sup>th</sup> day of December, 2020.

**VOTE RESULTS OF SECOND AND FINAL READING:**

Mayor Elaine Brown	YES
Vice Mayor Fred Jones	YES
Councilor Kerry Chin	YES
Councilor Lauren Key	YES
Councilor Josh Messinger	YES

Passed on Second and Final Reading this 19<sup>th</sup> day of January, 2021.

ATTEST:

\_\_\_\_\_  
Elaine Brown, Mayor

\_\_\_\_\_  
Catherine Ponson, City Clerk

Approved as to form and content:

Ord. No. 2020-15

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Zachary Roth, City Attorney

Ord. No. 2020-15



**The Surfrider Foundation First Chapter is asking that the City of Neptune Beach Commission bans all intentional balloon releases, including balloons marketed as "biodegradable."**



The release into the atmosphere of large numbers of balloons inflated with lighter-than-air gases poses a danger and nuisance to the environment, particularly to wildlife and marine animals.

Surfrider First Coast Chapter is asking for the ban of all intentional balloon releases because this is the same as littering, and there are other alternatives to releasing balloons. Such as planting trees, blowing bubbles and even hosting beach cleanups in memorium of a loved one.



# Plastic Pollution

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## ABOUT US

Mission

Model

Team

Board

Justice, Equity, Diversity & Inclusion

History

Ambassadors

Media



**BOARD AND DEPARTMENTAL REPORT FOR CITY COMMISSION MEETING  
SEPTEMBER 13, 2021**

**CODE ENFORCEMENT/BUILDING/ZONING**

Please see pages 1-17.

**COMPREHENSIVE PLANNING AND ZONING BOARD**

The minutes of the Board's July 20, 2021, meeting are attached as pages 18-27.

**SUSTAINABILITY AND ENVIRONMENTAL ADVISORY PLANNING COMMITTEE**

The minutes of the Committee's August 4, 2021, meeting are attached as pages 28-38.

**POLICE DEPARTMENT**

Please see page 39.

**PUBLIC WORKS DEPARTMENT**

Please see pages 40-43.

**FINANCE/ADMINISTRATION**

Please see page 44.

**CITY MANAGER**

1. Complaints

A. Non-Resident Parking

A resident of the Linda Mar subdivision asked that Resident Only parking signs be posted at the east end of Versaggi Drive. Her request was forwarded to the Public Works Department and the signs were put up.

B. Hole on 15<sup>th</sup> Street

A resident reported a hole on the south side of 15<sup>th</sup> Street adjacent to the Sunset Grille parking lot. The complaint was forwarded to the Public Works Director.

C. Hole on 12<sup>th</sup> Street

The complaint was forwarded to the Public Works Director.

D. Debris in Front of City Sign

A resident complained about debris in front of the City's welcome sign at State Road 312 and A1A. Public Works crews responded promptly to remove the debris.

#### E. Barricade Signs on 11<sup>th</sup> Street

A resident complained about barricade signs lying on the north side of 11<sup>th</sup> Street between SR-A1A and Mickler Boulevard. Her complaint was forwarded to the Public Works Department.

### 2. Major Projects

#### A. Road/Sidewalk Improvements

##### 1) Opening 2<sup>nd</sup> Street West of 2<sup>nd</sup> Avenue

Consideration of opening this section of 2<sup>nd</sup> Street has been discussed at various times by the City Commission and the owners of the vacant lots adjacent to it since 1992. Finally, in 2021, an agreement has been reached for the owners of the lot adjacent to the street to pay the cost of the new road that will benefit their property by making it available for development. At its June 7, 2021, meeting, the City Commission adopted a fee of \$3,940, which each lot owner will pay, or an owner can pay his or her total share in one payment. The City will also pay a third of the costs. In the meantime, the City's civil engineering consultant is preparing plans for the project. The plans should be completed by September. The City will then advertise for bids.

There are two related matters: First, two lot owners want to dedicate their lots for conservation purposes to the Putnam County Land Trust. In early August, one of the owners notified the City Manager that the first draft of the conservation easement agreement with the Trust had been prepared. As of this report, the City hasn't received the easement agreement. The award of the bid to construct the road will be on the agenda for the Commission's October 4<sup>th</sup> meeting. Second, the existing section of 2<sup>nd</sup> Street, which is between 2<sup>nd</sup> Avenue and A1A Beach Boulevard, will have new pavement and be slightly widened but no sidewalk. The cost of this project will be paid from general revenues, not by assessing the adjacent property owners.

##### 2) Sidewalk on A Street

A resident has suggested that a sidewalk is needed on A Street between the beach and the Boulevard because of the traffic and number of pedestrians and bicyclists along that section of A Street. This project has become part of the one to solve the flooding problem along the north side of the street. Vice Mayor Samora and City and County staff met at A Street to review the plan. In addition to the sidewalk, a underground drainage pipe will be constructed. The project will begin this fall, after the summer tourist season has ended.

#### B. Beach Matters

##### 1) Off-Beach Parking

As the City Commission has decided for the time being not to have paid parking in the City, the focus concerning off-beach parking has shifted to improving the City's existing rights-of-way and plazas to improve the rights-of-way and areas where people can park. At its March 2, 2020, meeting, the

Commission reviewed a report prepared by the Public Works Director of City-owned streets and plazas where parking improvements could be made. The Public Works Director and the City Manager asked the Tourist Development Council at its March 16<sup>th</sup> meeting for funding to improve three parking areas. However, as one TDC member said, revenue from the bed tax will likely decline significantly because of the coronavirus pandemic and the City is not likely to receive at this time any bed tax funds for the improvements. Possibly, road impact fees may be used for improving the right-of-way of certain streets for visitor parking. At a workshop still to be scheduled, the Commission will discuss again a parking plan and whether to have paid parking. In the meantime, in response to the resident requests, the City staff posted No Parking signs along the east side of 2<sup>nd</sup> Avenue between 3<sup>rd</sup> and 7<sup>th</sup> Streets. Other residents have requested that No Parking signs be posted along the west side of 2<sup>nd</sup> Avenue between 3<sup>rd</sup> and 7<sup>th</sup> Streets.

At its May 24<sup>th</sup> continuation meeting, the City Commission discussed locations for a five-year parking improvements plan and requested that the Planning Board develop a list of prioritized projects for a five-year plan. The Board discussed this at its June 15<sup>th</sup> meeting and decided that each member is to send their respective list to the Building Department's Executive Assistant. Only the Board's chairman provided a list. At its July 20<sup>th</sup> meeting, the Planning Board reviewed his list and other information and decided to table the matter because the Board had only four members present for the meeting. At its August 17<sup>th</sup> meeting, the Board recommended the following: a. for the Commission to continue to explore opportunities for increased and improved parking; b. for the City not to use any currently landscaped parkettes for parking; c. for the City to work with St. Johns County to develop parking along the north side of Pope Road; and for the City to prioritize for improvement the parkette on the west side of A1A Beach Boulevard between A Street and 1<sup>st</sup> Street. The Commission will review these recommendations at its September 13<sup>th</sup> meeting.

Concerning parking along Pope Road: At its August 11<sup>th</sup> meeting, the City Commission approved Mayor England sending a request to the County that it include the project in a five-year plan.

### C. Parks

#### 1) Ocean Hammock Park

This Park is located on the east side of A1A Beach Boulevard between the Bermuda Run and Sea Colony subdivisions. It was originally part of an 18-acre vacant tract. Two acres were given to the City by the original owners for conservation purposes and for where the boardwalk to the beach is now located. The City purchased 11.5 acres in 2009 for \$5,380,000 and received a Florida Communities Trust grant to reimburse it for part of the purchase price. The remaining 4.5 acres were left in private ownership. In 2015, The Trust for Public Land purchased the 4.5 acres for the appraised value of \$4.5 million. The City gave the Trust a down payment of \$1,000,000. Thanks to a grant application prepared by the City's Chief Financial Officer, Ms. Melissa Burns, and to the presentation by then-Mayor Rich O'Brien at a Florida Communities Trust board meeting in February 2017, the City was awarded \$1.5 million from the state to help it pay for the remaining debt to The Trust for Public Land. The City received the check for \$1.5 million in October 2018. For the remaining amount owed to The Trust for Public Land, the Commission at public hearings in September 2018 raised the voter-approved property tax debt millage to half a mill. A condition of the two grants is that the City implement the management plan that was part of the applications for the grants. The plan includes such improvements as restrooms, trails, a pavilion and information signs. The Public Works Director applied to the state for a Florida Recreation Development Assistance Program grant to pay half the costs of the restrooms. The City has received the grant. Construction of the restrooms will be done in the fall of 2021.

Also, to implement the management plan, the City has applied for funding from a state grant and from a Federal grant from the National Oceanic and Atmospheric Administration. The Public Works Director's master plan for improvements to the Park was reviewed by the City Commission at its October 5, 2020, regular meeting. The plans for the interior park improvements (observation deck, picnic pavilion and trails) are now in the design and permitting phase. Construction should begin in the spring of 2022.

At its August 11, 2021, meeting, the Public Works Director and a park consultant presented an update on the proposed improvements to the Park.

## 2) Hammock Dunes Park

This 6.1-acre park is on the west side of A1A Beach Boulevard between the shopping plaza and the Whispering Oaks subdivision. The County purchased the property in 2005 for \$2.5 million. By written agreement, the City reimbursed the County half the purchase price, or \$1,250,000, plus interest. At its July 26, 2016, meeting, the County Commission approved the transfer of the property's title to the City, with the condition that if the City ever decided to sell the property, it would revert back to the County. Such a sale is very unlikely, as the City Charter requires that the Commission by a vote of four members approve the sale, and then the voters in a referendum must approve it. At this time, the City does not have the money to develop any trails or other amenities in the Park. Unlike Ocean Hammock Park, there is no management plan for Hammock Dunes Park.

### D. Changes to Land Development Regulations

There are several. The first one amends Section 3.02.03 by adding to the list of prohibited uses in the City any business or organization that is required to be regulated by the State of Florida's Substance Abuse Services law. The ordinance adopting this change was approved by the Commission on first reading on June 7<sup>th</sup>. The ordinance had its first public hearing on July 6<sup>th</sup>, when the Commission passed it on second reading. The ordinance was approved on final reading at the Commission's August 11<sup>th</sup> meeting. This topic will no longer be included in this Report.

A second change to the Regulations will be to allow the Comprehensive Planning and Zoning Board to approve most conditional use permits. The Commission reviewed an ordinance at its August 11<sup>th</sup> meeting and passed it on first reading. The Planning Board reviewed the ordinance at its August 17<sup>th</sup> meeting and recommended that the ordinance be approved. The ordinance will have its first public hearing and second reading at the Commission's September 13<sup>th</sup> meeting.

A third change is to have the Planning Board hold the first public hearing on changes to the Land Development Regulations. The Commission passed an ordinance on first reading to allow this and held a public hearing on the ordinance at its August 11<sup>th</sup> meeting. The ordinance was then passed on second reading. A second public hearing and final reading will be done at the Commission's September 13<sup>th</sup> meeting.

## 3. Finance and Budget

### A. Fiscal Year 2021 Budget

FY 21 began on October 1, 2020 and will end on September 30, 2021. July 31, 2021, marked the end of the tenth month of the Fiscal Year. The July monthly financial report shows that for the General Fund, the City had received \$6,961,329, which is \$1,422,279 than it had received by the end of July 2020, and had spent \$5,458,948, which is \$7,956 more than it had spent at the end of July 2020. The year-to-date surplus of revenues over expenditures is \$1,502,381. A year earlier at the end of July 2020, the surplus was \$88,058. Unlike in previous fiscal years, the surplus this year has not diminished significantly during the latter half of the fiscal year. The City receives most of the revenue from property taxes between November and April. By the end of July 2021, the City had received \$3,460,643 from property taxes, or 102% of the total projected for the entire fiscal year. A year earlier, at the end of July 2020, the amount received from property taxes was \$3,161,168, or \$299,475 less than was received by July 31, 2021. Also, other significant sources of revenue by the end of July 2021 were communication services tax (\$496,398), electric utility tax (\$472,398), building permit fees (\$293,684), electric franchise fee (\$270,406) and solid waste service fee (\$470,954).

#### B. Alternative Revenue Sources

The City Commission has asked the administration to suggest potential sources of money. At its October 5, 2020, meeting, the Commission discussed a preliminary proposal from the Public Works Director to levy a stormwater fee. The Commission decided not to levy the fee but to review the proposal again at a workshop in the spring of 2021. The Commission discussed the stormwater fee at its workshop meeting on June 17, 2021 but made no decision concerning it. This topic will be on the agenda for the Commission's October 4, 2021, meeting.

#### C. Fiscal Year 2022 Budget

The preliminary draft of the budget was completed by the Finance Director in early July and meetings with individual Commissioners and the department heads were held later in July. The Commission held the first public review of the budget on July 26<sup>th</sup> and decided to set the preliminary property tax millage for FY 22 at 2.5998 mills, or \$2.60 per each \$1,000 of the assessed value of each parcel of real estate in the City. The millage for the current fiscal year, FY 21, is 2.45 mills, or \$2.45 per each \$1,000 of assessed value. Thus, the increase is 15 cents for each \$1,000 of assessed value. The Commission also set the debt millage at .50 or half a mill and scheduled the first public hearing on the millage and the budget on Monday, September 13, 2021, at 5 p.m.

#### 4. Miscellaneous

##### A. Permits for Upcoming Events

In August, the City Manager received no applications for permits for special events.

##### B. Strategic Plan

The Commission decided at its January 7, 2019, meeting that it and the City staff would update the plan. The Commission agreed with the City Manager's suggestions for goals at its June 10<sup>th</sup> meeting and asked that the Planning Board and the Sustainability and Environmental Planning Advisory Committee be asked to provide their suggestions for the plan. The responses were reviewed by the Commission at its August 5<sup>th</sup> meeting. The Commission decided to have a mission statement developed. Suggestions for the statement were provided to the Commission for consideration at its September meeting. By consensus,

the Commission asked the City Manager to develop a Mission Statement and provide it at a future meeting. This has been done along with a Vision Statement, a Values Statement and a list of tasks. The City Commission reviewed the proposed plan at its January 14, 2020, continuation meeting, provided comments and asked that the plan be submitted for another review at the City Commission's April 6<sup>th</sup> meeting. However, because of the need to shorten the Commission meetings because of the pandemic, review of the strategic plan was postponed. The Commission reviewed the plan at its February 8<sup>th</sup> continuation meeting. Commissioner George suggested changes to the Vision Statement. She will work with the City Manager on the wording.

In the meantime, the City administration will propose from time to time that the Commission review specific strategic plan goals. The first goal, Transparent Communication with Residents and Property Owners, was reviewed at the Commission's April 5, 2021, meeting. The Commission discussed having residents sign up for information, authorizing the use of the City's phone system for event information and purchasing an electronic message board to replace the old-fashioned manual sign on the west side of the city hall by State Road A1A, and the costs of mailers and text messages, etc. to residents. However, because of budget constraints, the message board has been deleted from the proposed Fiscal Year 2022 budget.

### C. Workshops

On March 8, 2021, the Commission held a workshop on the following topics: 1) review of employee salaries and pay ranges; 2) restructuring of the Building Department; 3) history of the Police Department budgets; 4) repair and replacement of City assets, such as vehicles; 5) succession planning for the departments and for the positions of Police Chief and City Manager. The results of that workshop were:

- At its April 5<sup>th</sup> meeting, the Commission approved the City administration's proposal to bring up the pay of those employees that a study showed were below the average for comparable cities in the northeast Florida area. The adjustments will go into effect on July 1, 2021.
- At its May 3<sup>rd</sup> meeting, the Commission discussed whether the pay for the Commission needs to be adjusted and decided to leave the current pay unchanged.

Also, at the May 3<sup>rd</sup> meeting, the Commission decided to hold two workshops: a joint one with the Planning Board and the Sustainability and Environmental Planning Advisory Committee on May 18<sup>th</sup> and a workshop to review options concerning the City's solid waste/recycling operations on May 24<sup>th</sup>. Both these meetings were held.

At its June 7<sup>th</sup> regular meeting, the Commission scheduled a workshop meeting on Thursday, June 17<sup>th</sup>, to consider adopting a stormwater utility to provide funding for the maintenance of the City's drainage infrastructure; and setting the rate for the non-ad valorem assessment for the collection of household waste, special waste and recyclables. The outcome of the workshop was direction by the Commission to the City administration to make \$211 the yearly non-ad valorem assessment for solid waste and recycling pickup/disposal, to educate residents concerning what's can be put in the recycling bins and what is not recyclable, to investigate the leasing of a garbage truck, and to meet with the company that picks up recyclables in the City concerning what can be done to reduce recycling costs.

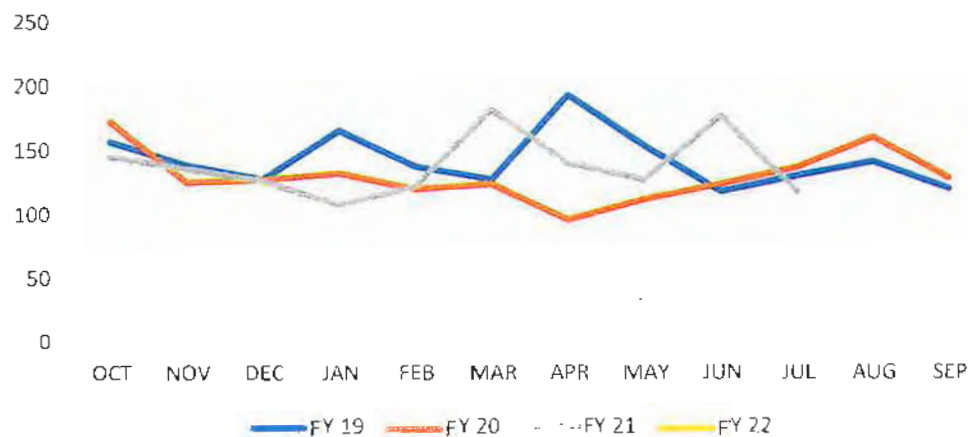
At this time, no workshops have been scheduled during the remaining months of 2021.

# CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

## # OF PERMITS ISSUED

	FY 19	FY 20	FY 21	FY 22
OCT	158	174	147	
NOV	140	127	137	
DEC	129	129	128	
JAN	167	134	110	
FEB	139	122	124	
MAR	129	126	184	
APR	195	98	142	
MAY	155	114	129	
JUN	120	126	179	
JUL	132	139	120	
AUG	143	163		
SEP	122	131		
<b>TOTAL</b>	<b>1729</b>	<b>1583</b>	<b>1400</b>	

## # OF PERMITS ISSUED



## # OF INSPECTIONS PERFORMED

	FY 19	FY 20	FY 21	FY 22
OCT	424	298	268	
NOV	255	341	250	
DEC	262	272	315	
JAN	426	383	311	
FEB	334	348	293	
MAR	377	294	360	
APR	306	246	367	
MAY	308	289	226	
JUN	288	288	295	
JUL	312	259	287	
AUG	275	225		
SEP	250	281		
<b>TOTAL</b>	<b>3817</b>	<b>3524</b>	<b>2972</b>	

## # OF INSPECTIONS PERFORMED

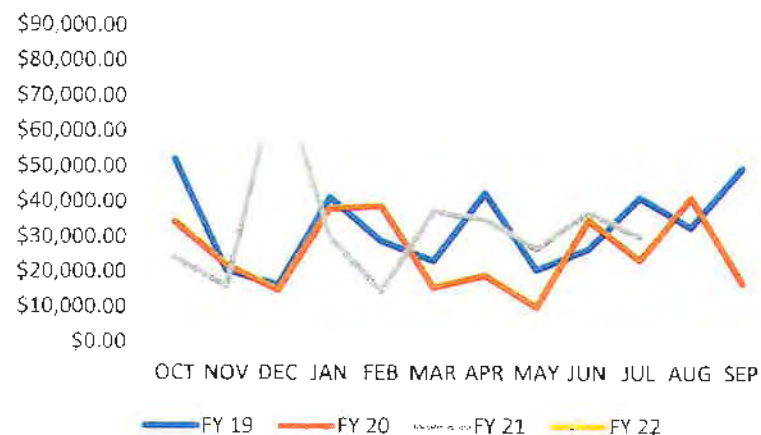


# CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

## BUILDING PERMIT FEE REPORT

	FY 19	FY 20	FY 21	FY 22
OCT	\$51,655.01	\$34,277.62	\$24,139.90	
NOV	\$20,192.42	\$21,844.58	\$15,910.52	
DEC	\$16,104.22	\$14,818.54	\$76,639.68	
JAN	\$40,915.31	\$37,993.58	\$30,011.51	
FEB	\$28,526.70	\$38,761.13	\$14,706.76	
MAR	\$22,978.53	\$15,666.80	\$37,447.22	
APR	\$42,292.91	\$19,092.61	\$34,884.49	
MAY	\$20,391.12	\$10,194.02	\$26,753.41	
JUN	\$26,445.26	\$34,939.40	\$37,149.19	
JUL	\$41,120.86	\$23,555.36	\$30,368.01	
AUG	\$32,714.82	\$41,455.38		
SEP	\$49,543.66	\$17,169.56		
<b>TOTAL</b>	<b>\$392,880.82</b>	<b>\$309,768.58</b>	<b>\$328,010.69</b>	

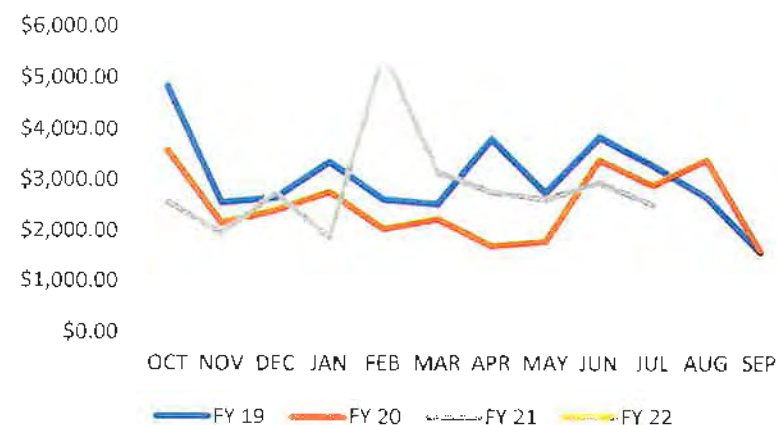
## BUILDING PERMIT FEE GRAPH



## MECHANICAL PERMIT FEE REPORT

	FY 19	FY 20	FY 21	FY 22
OCT	\$4,819.09	\$3,593.67	\$2,574.62	
NOV	\$2,541.44	\$2,160.00	\$1,963.00	
DEC	\$2,633.64	\$2,409.62	\$2,738.04	
JAN	\$3,338.69	\$2,768.47	\$1,891.99	
FEB	\$2,601.00	\$2,044.08	\$5,505.00	
MAR	\$2,515.33	\$2,237.73	\$3,163.00	
APR	\$3,801.26	\$1,716.00	\$2,784.79	
MAY	\$2,736.33	\$1,809.00	\$2,637.52	
JUN	\$3,844.54	\$3,417.00	\$2,978.00	
JUL	\$3,286.00	\$2,917.93	\$2,535.39	
AUG	\$2,663.49	\$3,430.11		
SEP	\$1,579.42	\$1,621.00		
<b>TOTAL</b>	<b>\$36,360.23</b>	<b>\$30,124.61</b>	<b>\$28,771.35</b>	

## MECHANICAL PERMIT FEE REPORT



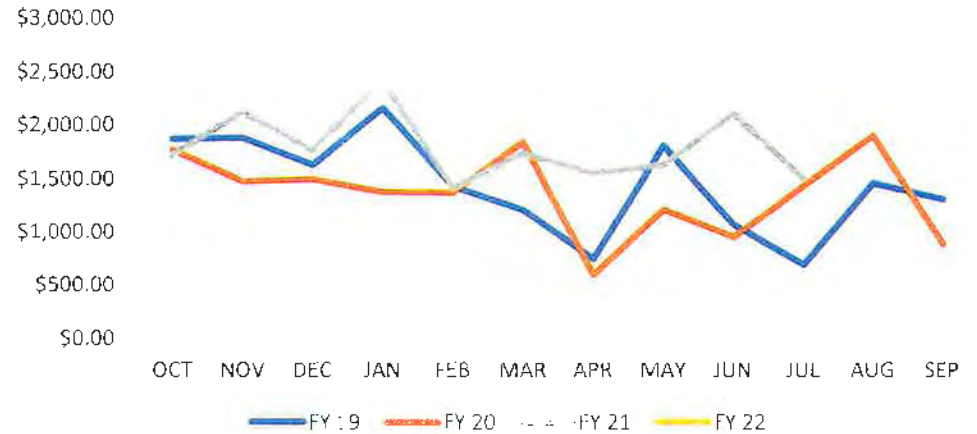


CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

ELECTRICAL PERMIT FEE REPORT

	FY 19	FY 20	FY 21	FY 22
OCT	\$1,860.32	\$1,765.00	\$1,718.00	
NOV	\$1,872.66	\$1,475.00	\$2,115.00	
DEC	\$1,622.32	\$1,495.00	\$1,770.00	
JAN	\$2,151.66	\$1,380.00	\$2,418.00	
FEB	\$1,425.32	\$1,375.00	\$1,413.00	
MAR	\$1,203.33	\$1,843.00	\$1,740.00	
APR	\$743.00	\$600.00	\$1,553.00	
MAY	\$1,805.00	\$1,215.00	\$1,628.00	
JUN	\$1,065.00	\$955.00	\$2,108.00	
JUL	\$690.00	\$1,443.00	\$1,505.00	
AUG	\$1,460.00	\$1,910.00		
SEP	\$1,310.00	\$895.00		
<b>TOTAL</b>	<b>\$17,208.61</b>	<b>\$16,351.00</b>	<b>\$17,968.00</b>	

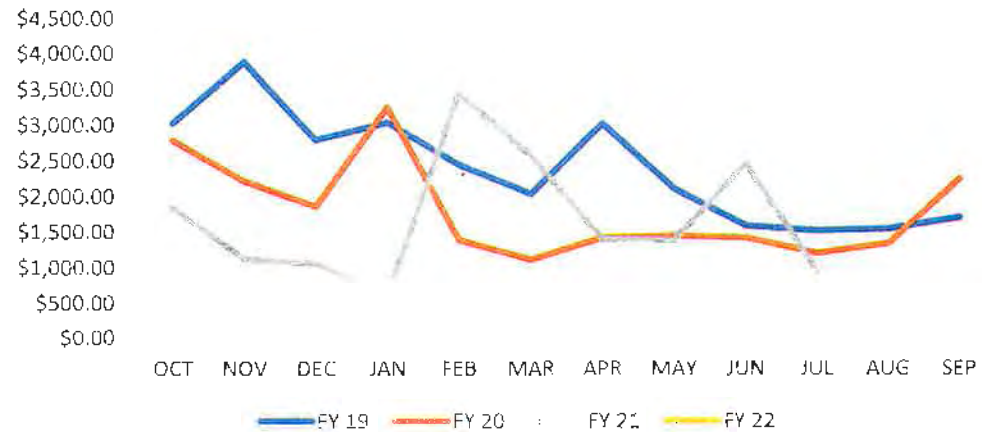
ELECTRICAL PERMIT FEE REPORT



PLUMBING PERMIT FEE REPORT

	FY 19	FY 20	FY 21	FY 22
OCT	\$3,016.37	\$2,786.00	\$1,844.00	
NOV	\$3,867.41	\$2,221.00	\$1,133.00	
DEC	\$2,783.10	\$1,869.00	\$1,062.00	
JAN	\$3,031.40	\$3,256.00	\$628.00	
FEB	\$2,440.44	\$1,395.00	\$3,449.00	
MAR	\$2,037.24	\$1,125.00	\$2,579.00	
APR	\$3,015.00	\$1,430.00	\$1,411.00	
MAY	\$2,110.00	\$1,459.00	\$1,390.00	
JUN	\$1,590.00	\$1,432.00	\$2,474.00	
JUL	\$1,525.00	\$1,218.00	\$952.00	
AUG	\$1,550.00	\$1,356.00		
SEP	\$1,706.00	\$2,270.00		
<b>TOTAL</b>	<b>\$28,671.96</b>	<b>\$21,817.00</b>	<b>\$16,922.00</b>	

PLUMBING PERMIT FEE REPORT

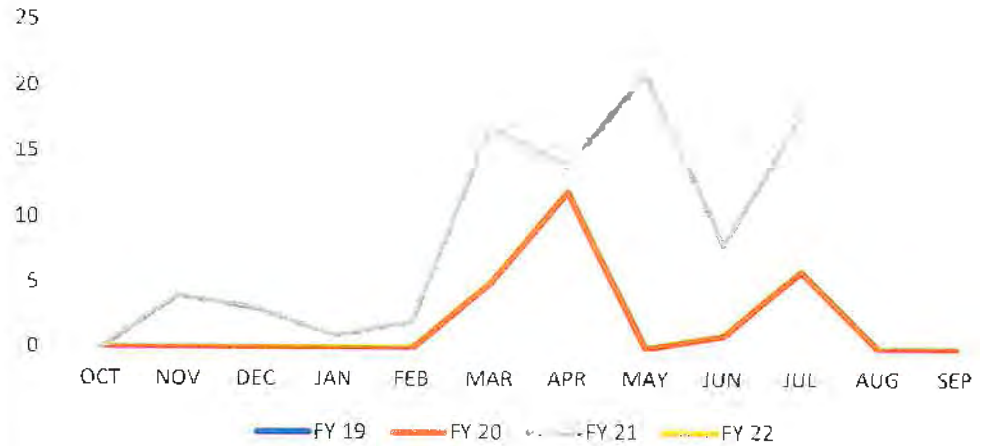


# CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

## # OF INSPECTIONS PERFORMED BY PRIVATE PROVIDER

	FY 19	FY 20	FY 21	FY 22
OCT		0	0	
NOV		0	4	
DEC		0	3	
JAN		0	1	
FEB		0	2	
MAR		5	17	
APR		12	14	
MAY		0	21	
JUN		1	8	
JUL		6	18	
AUG		0		
SEP		0		
<b>TOTAL</b>	<b>0</b>	<b>24</b>	<b>88</b>	

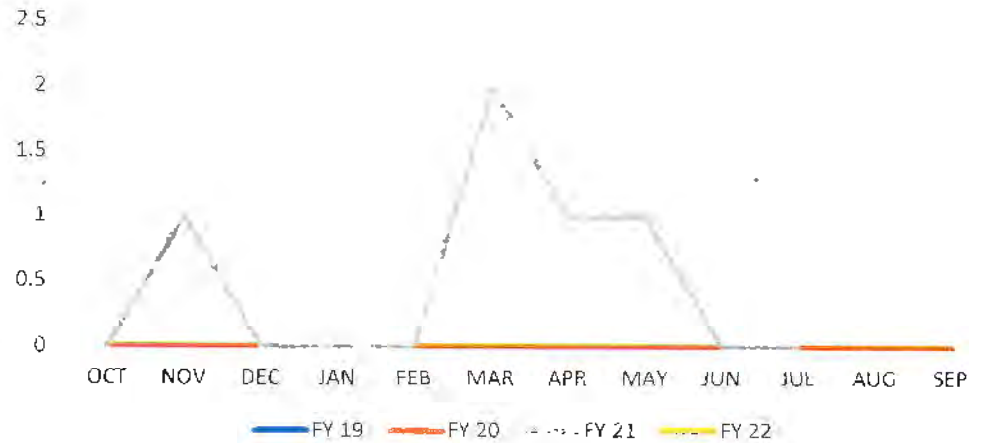
## # OF INSPECTIONS PERFORMED BY PRIVATE PROVIDER



## # OF PLAN REVIEWS PERFORMED BY PRIVATE PROVIDER

	FY 19	FY 20	FY 21	FY 22
OCT	0	0	0	
NOV	0	0	1	
DEC	0	0	0	
JAN	0	0	0	
FEB	0	0	0	
MAR	0	0	2	
APR	0	0	1	
MAY	0	0	1	
JUN	0	0	0	
JUL	0	0	0	
AUG	0	0		
SEP	0	0		
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>5</b>	

## # OF PLAN REVIEWS PERFORMED BY PRIVATE PROVIDER

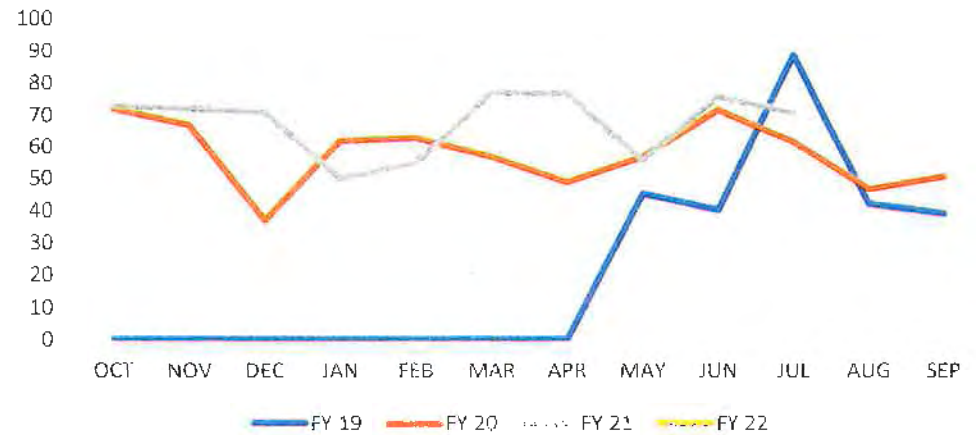


CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

# OF PLAN REVIEW ACTIVITIES PERFORMED BY BLDG. DEPT.

	FY 19	FY 20	FY 21	FY 22
OCT	0	72	73	
NOV	0	67	72	
DEC	0	37	71	
JAN	0	62	50	
FEB	0	63	55	
MAR	0	57	77	
APR	0	49	77	
MAY	45	57	56	
JUN	40	72	76	
JUL	89	62	71	
AUG	42	47		
SEP	39	51		
<b>TOTAL</b>	<b>255</b>	<b>696</b>	<b>678</b>	

# OF PLAN REVIEW ACTIVITIES

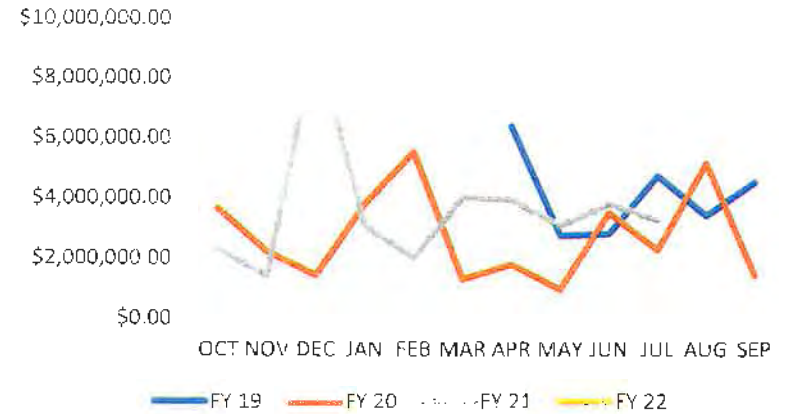


CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

ALTERATION COST

	FY 19	FY 20	FY 21	FY 22
OCT		\$3,657,414.56	\$2,313,298.53	
NOV		\$2,242,421.52	\$1,440,841.88	
DEC		\$1,449,915.40	\$9,160,479.89	
JAN		\$3,789,363.81	\$3,088,758.57	
FEB		\$5,519,900.00	\$2,010,259.40	
MAR		\$1,321,570.04	\$4,010,607.80	
APR	\$6,338,617.35	\$1,803,157.19	\$3,939,394.49	
MAY	\$2,731,410.75	\$1,003,140.58	\$3,080,108.00	
JUN	\$2,792,442.43	\$3,519,844.50	\$3,807,580.85	
JUL	\$4,717,293.00	\$2,300,478.87	\$3,279,350.11	
AUG	\$3,393,250.74	\$5,175,949.96		
SEP	\$4,502,737.63	\$1,475,857.57		
<b>TOTAL</b>	<b>\$24,475,751.90</b>	<b>\$33,259,014.00</b>	<b>\$36,130,679.52</b>	

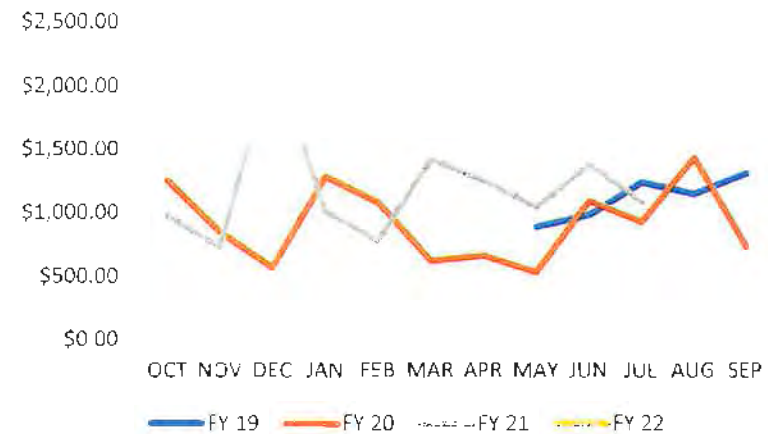
ALTERATION COST



STATE SURCHARGE PERMIT FEE REPORT

	FY 19	FY 20	FY 21	FY 22
OCT		\$1,247.45	\$973.01	
NOV		\$845.65	\$729.40	
DEC		\$569.37	\$2,225.95	
JAN		\$1,277.63	\$1,006.45	
FEB		\$1,079.31	\$776.87	
MAR		\$623.46	\$1,417.90	
APR		\$666.54	\$1,250.09	
MAY	\$881.45	\$537.83	\$1,043.38	
JUN	\$972.50	\$1,093.02	\$1,378.01	
JUL	\$1,230.25	\$928.44	\$1,085.45	
AUG	\$1,141.48	\$1,437.49		
SEP	\$1,303.66	\$740.55		
<b>TOTAL</b>	<b>\$5,529.34</b>	<b>\$11,046.74</b>	<b>\$11,886.51</b>	

STATE SURCHARGE PERMIT FEE REPORT



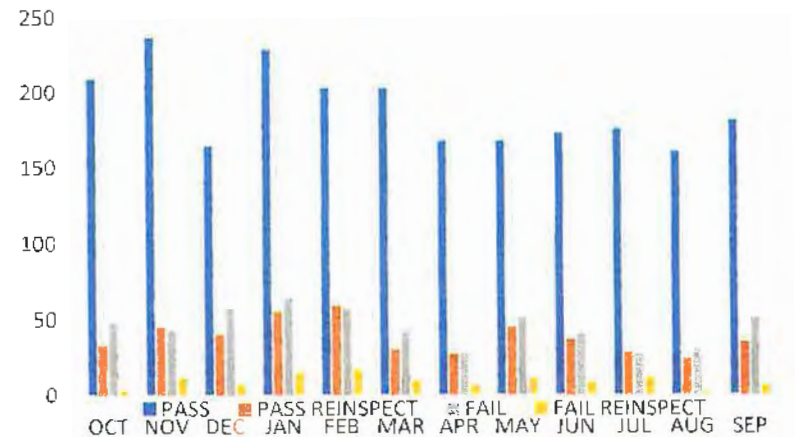
CITY OF ST. AUGUSTINE BEACH BUILDING DEPARTMENT

FY 20 INSPECTION RESULTS

	PASS	PASS REINSPECT	FAIL	FAIL REINSPECT
OCT	210	34	49	3
NOV	238	46	44	12
DEC	165	41	58	7
JAN	230	56	65	15
FEB	204	60	58	17
MAR	204	31	43	10
APR	169	28	28	7
MAY	169	46	52	12
JUN	174	38	42	9
JUL	177	29	28	12
AUG	162	25	32	2
SEP	183	36	51	7
<b>TOTAL</b>	<b>2285</b>	<b>470</b>	<b>550</b>	<b>113</b>

RESULTS DO NOT INCLUDE CANCELLED/PERFORMED INSPECTIONS

FY 20 INSPECTION RESULTS

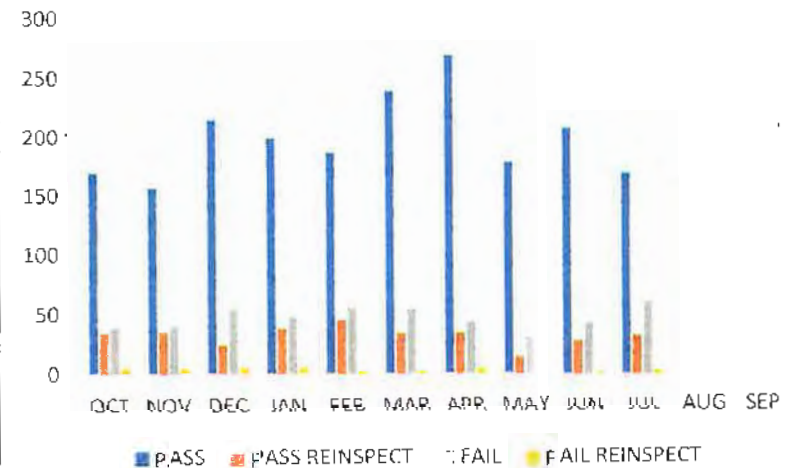


FY 21 INSPECTION RESULTS

	PASS	PASS REINSPECT	FAIL	FAIL REINSPECT
OCT	170	35	40	5
NOV	157	36	41	5
DEC	216	25	56	6
JAN	200	39	49	6
FEB	187	46	57	3
MAR	240	35	55	3
APR	270	35	44	5
MAY	179	15	31	1
JUN	209	29	44	2
JUL	170	33	61	4
AUG				
SEP				
<b>TOTAL</b>	<b>1998</b>	<b>328</b>	<b>478</b>	<b>40</b>

RESULTS DO NOT INCLUDE CANCELLED/PERFORMED INSPECTIONS

FY 21 INSPECTION RESULTS



# COSAB NEW CONSTRUCTION SFR LIST

Application Id	Property Location	Permit No	Work Type	Issue Date	Certificate Type 1	Description	User Code 1
814	612 OCEAN PALM WAY	P1915252	SFR-D	9/10/2019		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
924	108 8TH ST	P1915316	SFR-D	9/23/2019		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
1341	1004 ISLAND WAY	P2000359	SFR-D	2/4/2020		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
2095	138 WHISPERING OAKS CIR	P2001973	SFR-D	12/18/2020		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
2372	26 SABOR DE SAL RD	P2001362	SFR-D	8/6/2020		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
2598	7 6TH ST	P2100089	SFR-D	1/28/2021		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
2826	138 RIDGEWAY RD	P2001927	SFR-D	12/4/2020		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
2827	394 OCEAN FOREST DR	P2001921	SFR-D	12/4/2020		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
2956	31 VERSAGGI DR	P2002022	SFR-D	1/26/2021		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
3066	484 OCEAN FOREST DR	P2100066	SFR-D	1/21/2021		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
3070	115 D ST	P2100133	SFR-D	2/4/2021		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
3073	105 3RD ST	P2100541	SFR-D	4/23/2021		NEW SINGLE-FAMILY RESIDENCE-BUILDING	RES
3101	121 5TH STREET	P2100710	SFR-D	6/3/2021		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
3102	125 5TH STREET	P2100725	SFR-D	6/4/2021		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
3103	129 5TH STREET	P2100711	SFR-D	6/3/2021		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
3173	534 RIDGEWAY RD	P2100306	SFR-D	3/16/2021		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
3319	736 OCEAN PALM WAY	P2100390	SFR-D	3/26/2021		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
3372	957 DEER HAMMOCK CIR	P2100397	SFR-D	3/30/2021		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
3510	315 RIDGEWAY RD	P2100462	SFR-D	4/13/2021		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
3614	421 NIGHT HAWK LN	P2100817	SFR-D	6/17/2021		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
3655	366 RIDGEWAY RD	P2100879	SFR-D	6/30/2021		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
3676	104 3RD ST	P2100598	SFR-D	5/7/2021		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
3690	98 RIDGEWAY RD	P2100908	SFR-D	7/8/2021		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
3693	370 OCEAN FOREST DR	P2100618	SFR-D	5/18/2021		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
3704	695 POPE RD	P2100960	SFR-D	7/21/2021		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
3719	1311 SMILING FISH LN	P2100688	SFR-D	5/27/2021		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
3734	108 7TH ST	P2100660	SFR-D	5/27/2021		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES
3747	529 RIDGEWAY RD	P2100925	SFR-D	7/15/2021		NEW SINGLE FAMILY RESIDENCE-BUILDING	RES

Application Id Range: First to Last

Issue Date Range: 08/01/19 to 08/31/21

Expiration Date Range: First to 09/01/23

Applied For: Y Open: Y

Application Date Range: First to 08/31/21

Use Type Range: First to Last

Hold: Y

Building Code Range: BUILDING to BUILDING

Contractor Range: First to Last

Completed: Y

Work Type Range: SFR-A to SFR-D

User Code Range: RES to RES

Denied: Y

Void: Y

Customer Range: First to Last

Inc Permits With Permit No: Yes

Inc Permits With Certificate: Yes

Waived Fee Status to Include: None: Y

All: Y

User Selected: Y

# COSAB COMMERCIAL CONSTRUCTION LIST

Application Id	Property Location	Permit No	Work Type	Issue Date	Certificate Type 1	Description	User Code 1
594	12 13TH STREET	P1915242	COMMERCIAL NEW	9/9/2019		MIXED USE BUILDING--2 OFFICE SUITES BOTTOM FLOOR WITH 2 RESIDENTIAL SUITES ON THE SECOND FLOOR	COM
1740	116 SEA GROVE MAIN ST	P2000906	COM BUILD OUT	6/9/2020		COMMERCIAL INTERIOR BUILD-OUT FOR OFFICE SPACE/FUTURE TENANT SPACE	COM
1827	681 A1A BEACH BLVD	P2000943	COMMERCIAL NEW	4/7/2020		BUILDING-COMMERCIAL NEW BUILDING-BREWERY 1ST FLOOR AND STORAGE 2ND FLOOR	COM
1842	300 A1A BEACH BLVD	P2001952	COM ADDITION	12/14/2020		LATERAL ADDITION FOR 42 ROOMS TO AN EXISTING 175 UNIT OCEAN FRONT HOTEL	COM
2141	3930 A1A SOUTH	P2001353	COMMERCIAL NEW	8/7/2020		BUILDING ADDITION - SHELL CONSTRUCTION4987 SQUARE FEET 6 UNITS	COM

Application Id Range: First to Last

Issue Date Range: 08/01/18 to 08/31/21

Expiration Date Range: First to 09/01/23

Applied For: Y Open: Y

Application Date Range: First to 08/31/21

Use Type Range: First to Last

Hold: Y

Building Code Range: BUILDING to BUILDING

Contractor Range: First to Last

Completed: Y

Work Type Range: COM ADDITION to COMMERCIAL NEW

User Code Range: COM to COM

Denied: Y

Void: Y

Customer Range: First to Last

Inc Permits With Permit No: Yes

Inc Permits With Certificate: Yes

Waived Fee Status to Include: None: Y

All: Y

User Selected: Y

# COSAB FY'21 TREE INSPECTIONS

Application Id	Property Location	Permit No	Work Type	Issue Date	Description	User Code 1
2754	1144 OVERDALE RD	P2001707	TREE REMOVAL	10/16/2020	RESIDENTIAL-TREE REMOVAL INSPECTIDN	RES
2802	3900 A1A SOUTH	P2001752	TREE REMOVAL	11/2/2020	RESIDENTIAL-TREE REMOVAL INSPECTION	COM
2803	1200 MAKARIOS DR	P2001751	TREE REMOVAL	10/29/2020	RESIDENTIAL-TREE REMOVAL INSPECTION	RES
2900	685 POPE RD	P2001848	TREE REMOVAL	11/16/2020	19 INCH OAK TREE AND 18 IN MAGNOLIA	RES
3167	115 14TH ST	P2100067	TREE REMOVAL	1/15/2021	RESIDENTIAL-TREE REMOVAL INSPECTION	RES
3460	407 OCEAN DR	P2100647	TREE REMOVAL	5/19/2021	RESIDENTIAL-TREE REMOVAL INSPECTION 11 inch oak tree	RES
3465	703 POPE RD	P2100364	TREE REMOVAL	3/23/2021	RESIDENTIAL-TREE REMOVAL INSPECTION	RES
3481	24 DEANNA DR	P2100362	TREE REMOVAL	3/23/2021	RESIDENTIAL-TREE REMOVAL INSPECTION	RES
3775	117 BAY BRIDGE DR	P2100820	TREE REMOVAL	6/17/2021	RESIDENTIAL-TREE REMOVAL INSPECTION	RES
3786	1 SEA OAKS DR	P2100657	TREE REMOVAL	5/21/2021	RESIDENTIAL-TREE REMOVAL INSPECTION 2 oak trees 14" and 24" rear of home	RES
3827	45 OCEAN CT	P2100795	TREE REMOVAL	6/15/2021	RESIDENTIAL-TREE REMOVAL INSPECTION	RES
4016	208 10TH ST	P2100885	TREE REMOVAL	6/30/2021	RESIDENTIAL-TREE REMOVAL INSPECTION	RES
4097	413 OCEAN DR	P2100971	TREE REMOVAL	7/21/2021	RESIDENTIAL-TREE REMOVAL INSPECTION	RES
4098	415 OCEAN DR	P2100972	TREE REMOVAL	7/21/2021	RESIDENTIAL-TREE REMOVAL INSPECTION	RES

Application Id Range: First to Last

Issue Date Range: 10/01/20 to 08/31/21

Expiration Date Range: First to 09/01/23

Applied For: Y Open: Y

Application Date Range: First to 08/31/21

Use Type Range: First to Last

Hold: Y

Building Code Range: TREE to TREE

Contractor Range: First to Last

Completed: Y

Work Type Range: First to Last

User Code Range: First to Last

Denied: Y

Void: Y

Customer Range: First to Last

Inc Permits With Permit No: Yes

Inc Permits With Certificate: Yes

Waived Fee Status to Include: None: Y

All: Y

User Selected: Y



# COSAB FY '21 ZONING REPORT

Application Id	Parcel Id	Property Location	Owner Name	Activity Type	Inspector	Date	Status
2577	1698900180	16 5TH ST	COLLIER MICHAEL SR ETAL YOUNG WAI Y	Z-COND USE	BONNIE M	10/13/2020	APPROVED
2577	1698900180	16 5TH ST	COLLIER MICHAEL SR ETAL YOUNG WAI Y	Z-COND USE	BONNIE M	11/9/2020	APPROVED
2625	1674000000	17 13TH ST	ANCIENT CITY VENTURES LLC	Z-COND USE	BONNIE M	10/13/2020	APPROVED
2625	1674000000	17 13TH ST	ANCIENT CITY VENTURES LLC	Z-COND USE	BONNIE M	11/9/2020	APPROVED
2626	1674000000	17 13TH ST	ANCIENT CITY VENTURES LLC	Z-VARIANCE	BONNIE M	10/13/2020	APPROVED
2627	1674000000	17 13TH ST	ANCIENT CITY VENTURES LLC	Z-VARIANCE	BONNIE M	10/13/2020	APPROVED
2735	1677800001	ALLEY BETWEEN 13TH ST & 14TH ST	MINORCA SUBDIVISION	Z-VACATE ALLEY	BONNIE M	12/15/2020	APPROVED
2735	1677800001	ALLEY BETWEEN 13TH ST & 14TH ST	MINORCA SUBDIVISION	Z-VACATE ALLEY	BONNIE M	1/4/2021	APPROVED
2753	1699000000	7 4TH ST	MARZIANI PAUL J, CHERYL	Z-VARIANCE	BONNIE M	11/17/2020	APPROVED
2762	1698800000	7 6TH ST	PAUL DONALD, LINDA	Z-VARIANCE	BONNIE M	10/19/2020	APPROVED
2847	1629610940	455 HIGH TIDE DR	CULLOTTA PETER D, LAURIE L	Z-VARIANCE	BONNIE M	12/15/2020	APPROVED
2897	1676600000	400 A1A BEACH BLVD	HVG PROPERTIES LLC	Z-COND USE	BONNIE M	12/15/2020	APPROVED
2897	1676600000	400 A1A BEACH BLVD	HVG PROPERTIES LLC	Z-COND USE	BONNIE M	1/4/2021	APPROVED
2908	1629610950	459 HIGH TIDE DR	TAMMS ERIC VICTOR	Z-VARIANCE	BONNIE M	12/15/2020	APPROVED
2981	1641730020	23 OCEAN PINES DR	RHYS MARK AND KELLY RENEE SLAUGHTER	Z-TREE REMOVAL	BONNIE M	12/15/2020	APPROVED
3001	1700400001	ALLEY BETWEEN B AND C STREETS	COQUINA GABLES SUBDIVISION NO 1	Z-VACATE ALLEY	BONNIE M	3/16/2021	APPROVED
3001	1700400001	ALLEY BETWEEN B AND C STREETS	COQUINA GABLES SUBDIVISION NO 1	Z-VACATE ALLEY	BONNIE M	4/5/2021	APPROVED
3044	1684000000	9 11TH ST	KLING PROPERTIES LLC	Z-VARIANCE	BONNIE M	1/19/2021	DENIED
3071	1693800100	105 3RD ST	LEHAN, BRADLEY D.	Z-COND USE	BONNIE M	1/19/2021	APPROVED
3071	1693800100	105 3RD ST	LEHAN, BRADLEY D.	Z-COND USE	BONNIE M	2/1/2021	APPROVED
3073	1693800100	105 3RD ST	LEHAN, BRADLEY D.	Z-VARIANCE	BONNIE M	1/19/2021	DENIED
3175	1631510351	2 QUAIL CT	GLASGOW, JAMES LESLIE, CATHERINE JANE	Z-TREE REMOVAL	BONNIE M	2/16/2021	APPROVED
3261	1687700000	12 6TH ST	KAIN JEFFREY, MARCIA	Z-COND USE	BONNIE M	3/16/2021	APPROVED
3261	1687700000	12 6TH ST	KAIN JEFFREY, MARCIA	Z-COND USE	BONNIE M	4/5/2021	APPROVED
3298	1693000090	104 3RD ST	BRADLEY LEHAN IRA/DEBORAH RODRIGUES	Z-COND USE	BONNIE M	3/16/2021	APPROVED
3298	1693000090	104 3RD ST	BRADLEY LEHAN IRA/DEBORAH RODRIGUES	Z-COND USE	BONNIE M	4/5/2021	APPROVED
3308	1709300000	103 E STREET AND 104 F STREET	LEONARD AND RENEE TRINCA	Z-COND USE	BONNIE M	3/16/2021	APPROVED
3308	1709300000	103 E STREET AND 104 F STREET	LEONARD AND RENEE TRINCA	Z-COND USE	BONNIE M	4/5/2021	APPROVED
3316	1700400001	ALLEY BETWEEN A AND B STREETS	COQUINA GABLES SUBDIVISION NO 1	Z-VACATE ALLEY	BONNIE M	3/16/2021	APPROVED
3316	1700400001	ALLEY BETWEEN A AND B STREETS	COQUINA GABLES SUBDIVISION NO 1	Z-VACATE ALLEY	BONNIE M	4/5/2021	APPROVED
3347	1628201030	109 KINGS QUARRY LN	PAWLOWSKI MICHEL S	Z-VARIANCE	BONNIE M	3/16/2021	DENIED
3458	1705200010	2-B F ST	CANEEL CAPITAL GROUP LLC	Z-VARIANCE	BONNIE M	4/20/2021	DENIED
3912	1693500000	106 2ND ST	DIRECT HOME BUYER 1 INC.	Z-VARIANCE	BONNIE M	7/20/2021	APPROVED
3965	1698900180	16 5TH ST	16 5TH STREET LAND TRUST	Z-APPEAL	BONNIE M	6/21/2021	CANCEL
4253	1630300010	301 A1A BEACH BLVD	BOS HENRI ET AL	Z-VARIANCE	BONNIE M	9/21/2021	OPEN

Application Id Range: First to Last      Range of Building Codes: ZONING      to ZONING

Activity Date Range: 10/01/20 to 09/30/21      Activity Type Range: Z-APPEAL      to Z-VARIANCE

Inspector Id Range: First      to Last

Included Activity Types: Both

Sent Letter: Y

Range: First to Last	Use Type Range: First to Last	Open: Y
Violation Date Range: 08/01/18 to 08/31/21	User Code Range: First to Last	Completed: N
Ordinance Id Range: First to Last		Void: N
		Pending: N
Customer Range: First to Last	Inc Violations With Waived Fines: Yes	

Violation Id: V1900065	Prop Loc: 720 A1A BEACH BLVD
Viol Date: 07/30/19	Status: Open
Comp Phone:	Comp Email:
	Comp Name:

Ordinance Id	Description
LDR 3.09	Sec. 3.09.00. - Transient lodging establishments within medium density land use districts.
6.07.06	Sec. 6.07.06. - Care of premises.
FBC 105.1	PERMITS 105.1 Required.

Description: This violation(s) was generated through code enforcement relative to multiple complaints concerning specific building violations as specified below. These violations which are outlined within the International Property Maintenance Code (section304) and the FBC are specific to structural maintenance and requirements of an exterior structure.

The following needs to be addressed:

1. Remove the blue tarp on the top of the structure.
2. Execute the roof permit (P1914794) and repair the same.(presently the permit has expired).
3. Obtain proper permits (roof, stairs and landing etc and determine the possibility of enroachment of the raised deck/landing. Building Inspector Glenn Brown has conversed with Ms. Johnson in the many months prior relative to correction of this stair and deck landing modification scenario.
4. Modify the conditional use permit to include use of the ground floor for residential use. See conditional use permit dated Aug 4 2003.
5. Bring into compliance the violations as specified. After the building compliance is met, complete those requirements pretaing to a transient lodging facility renewal (Code 3.09).

Created	Modified	Note
03/29/21	03/29/21	The number Liv called from on 3-29-2021 was different from what we have on file, 904-788-9522
03/29/21	03/29/21	Debra "Liv" Johnson called the office of 3/29/2021. She stated that she just picked up the certified mail today regarding the Code Enforcement Board Meeting on Wednesday, March 31st . She stated that her daughter is having surgery tomorrow and she will be taking care of her and will be unable to make it to the meeting. She asked if I could put her on the agenda for April's meeting instead, however, I told her that decision would be up to the code board. I let Ms. Johnson know that I had hand delivered the notice to appear on March 15th and I sent her an email with the notice to appear on March 24th. She stated that she does not usually check her email and is not great with computers. I told her that if she wanted to write a letter explaining to the code board why she can't make it and what her plans are, to go ahead and drop it off prior to the meeting and I will include it in the board packets.
03/15/21	03/15/21	Certified Mail, regular mail, and hand delivered letter sent 3/15/21 Notice to appear for March 31st, 2021 meeting. Attached.
12/11/20	12/11/20	The copy of the lien was returned as unclaimed on 12/11/2020.

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11/17/20	11/17/20	A copy of the lien was sent via certified mail 7018-1130-0002-0083-3427 and regular USPS mail on 11-17-2020
11/16/20	11/16/20	A lien in the amount of 22,250.00 was recorded with St. Johns County Clerk of the Courts office on 11-16-2020 @ 1:32 PM. See attachments.
06/01/20	06/01/20	5-27-2020 The CEB made a motion to file a lien for \$22,500 (the roof fine total). Other fines will continue.
05/20/20	05/20/20	Notice to appear emailed 5-20-20.
05/19/20	05/20/20	Notice to appear sent on 5-18-2020 and hand delivered, see attached.
05/06/20	05/20/20	Ms. Johnson called and left a voicemail on 5-5-20, to say that she is planning on applying for a permit on Monday May 11th. In the message, she stated she was having trouble finding an architect to design the deck.
05/04/20	05/04/20	Certified Mail Sent 5-1-20 Letter, hand delivered on 5-4-20. Ms. Johnson was at the home when I delivered the letter. She told me that rather going to the post office to pick up the letter, she would just sign for it in person. See attached.
04/27/20	04/27/20	EMAILED MS. JOHNSON 4/27/2020 TO REMIND HER OF THE CODE BOARD MEETING SCHEDULED FOR 4/29/20 AT 2PM. SEE ATTACHED.
04/22/20	04/22/20	HAND DELIVERED & MAILED CERTIFIED MAIL CITATION TO APPEAR, SEE ATTACHED. WHILE I WAS DELIVERING THE LETTER, I SAW SOME REMOVED SIDING, AND A REMOVED WINDOW. SEE ATTACHED PICTURES. --JT
04/16/20	04/16/20	FINAL INSPECTION FOR ROOF PERMIT WAS APPROVED BY GLENN BROWN ON 4-15-2020 (SEE ATTACHED CERTIFICATE OF COMPLETION)
04/02/20	04/02/20	Certified Mail signature card received on 4-1-20. Signed by Crystal. See attached.
03/26/20	03/26/20	Certified Mail and a Hand Delivered letter were sent to Ms. Johnson regarding the code enforcement board meeting on 3/26/20. The letter and a photo of it being hand delivered to her residence are attached.
03/16/20	03/16/20	Spoke with Ms. Johnson this am relative to the circumstances of events that surround her code enforcement case. There were excuses presented by Ms. Johnson concerning the compliance issue but no resolution was given. We reaffirmed the next code enforcement meeting (3/25 @ 1400hrs) in order to discuss the matter(s) pending. I advised Ms. Johnson to attend the meeting. A certified mailing was issued prior on 3/10 to Ms. Johnson @ her private address. A separate reg mailing was issued on 3/16 and a copy of that doc (notice to appear) was also emailed accordingly.
03/10/20	03/10/20	Certified mail sent relative to Citation to Appear for 3/25 to follow-up on non-compliance.
02/10/20	02/10/20	Staff notified the code enforcement officer this morn that Ms. Johnson inquired about permitting friday of last week. The staff advised Ms. Johnson of the pending code enforcement action against her and further stated that she contact this office. As of 0340 hrs this date, no contact has been made.
02/10/20	02/10/20	Certified mail dated 12/18 was returned by the USPS as undelivered. Last service attempt was

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		1/16/2020. Certified mail # 7018 1130 0002 0083 2918.
01/29/20	01/29/20	As of this date, no communication has been rec'd from Ms Johnson. Muliple letters have been issued concerning the scenario(s).
01/22/20	01/22/20	Contact Info for the contractor that Ms. Johnson hired: Richard Sean Construction @ 352 639-1060
01/22/20	01/22/20	Spoke with the contractor, Richard Fulmer on 1/21 relative to pulling permits on the deck. He advised that a building permit would be aquired. This is the second request. Also requested was info pretaining to the re-roof. Mr. Fulmer also stated that this project had a current estimate for the roof and the roofer (unk) was to pull their own permit. No action has occured. As of this date there has been no communication with the property owner (Liv Johnson) to answer for the code enforcement action. The penalty phase sanctioned by the code board went into effect midnight 1/19 @ 250.00/day for non-compliance to violations of the SAB Building Code.
12/19/19	12/19/19	LETTER HAND DELIVERED ON 12-19-19 AT 245PM, LEFT IN DOOR. -JT (SEE ATTACHED PHOTO)
12/17/19	12/17/19	As of this date, no communication has commenced relative to compliance of this scenario concerning the building violations. Ms. Johnson further has ignored a correction her conditional use permit relative to the multi-use property @ the stated address. Bonnie Miller (Building Dept Admin Sec) offered assistance to Ms. Johnson in weeks past relative to appling for a revision through the PZB. Ms. Johnson never responded.
12/02/19	12/02/19	Ms. Johnson contacted this office @ 0830hrs to relay info concerning needed repairs relative to code enforcement case. Ms. Johnson asdvided that a contractor was being hired to complete all issues. Permits are pending TBA. If permits are not aquired prior to the Dec board meeting, a notice to appear will be issued.
10/29/19	10/29/19	Certified Mail notice sent this date
08/26/19	08/26/19	Second notice sent this date. Regular mail.
08/26/19	12/17/19	Cerified Letter issued Aug 1st returned.

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Violation Id: v2000043	Prop Loc: 645 A1A BEACH BLVD	
Viol Date: 03/23/20	Status: Open	Comp Name: City Manager's Office
Comp Phone:	Comp Email:	

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Ordinance Id    Description

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Description: Complaint was called in to the City Manager's office regarding Drifters bike rentals operating without a conditional use permit.  
On 3-13-20 Code Enforcement hand delivered a CUP application to the business owner Ian Guthrie. He was informed that he had 30 days to apply for the permit.  
  
On 3-25-20, Mr. Guthrie's lawyer contacted the city. (see attached)  
The letter was forwarded to the city attorney Lex Taylor.

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Created	Modified	Note
03/25/20	03/25/20	See attached email, sent to the City on 03/25/2020
03/23/20	05/15/20	LDR SEC 3.02.03 PROHIBITED USES A. 2. DISPLAY OF MERCHANDISE OUTSIDE.

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Violation Id: V2100016      Prop Loc: 721 A1A BEACH BLVD  
Viol Date: 01/25/21      Status: Open      Comp Name: Building Dept  
Comp Phone:      Comp Email:

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Ordinance Id	Description
IPM SEC 304	EXTERIOR STRUCTURE

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6.07.02      Structural Requirements

Description: While on site for a change of business/Fire Dept inspection, Code Enforcement noticed the exterior east wall of the property was in disrepair. See attached.

According to a tenant, Action Management Group manages the property. Code enforcement located their facebook page and found information for April Johnston. Her email is ajohnstonmgr@outlook.com and her phone is 904-377-9605. Code Enforcement emailed on 1/25/2021 and is awaiting an email or call back.

Created	Modified	Note
02/08/21	02/08/21	John Flint from SJC Fire has also been trying to reach the property management company. When conanct is made, give John Flint's info: jflint@sjcfl.us / 904-829-7212
02/05/21	02/08/21	Code enforcement has not received an email or phone call from Action Management.  According to Sunbiz website, FORD SURF PLAZA, INC's registered agent is: Stephen D. Hinkle 721 A1A Beach Blvd Ste 4  Code Enforcement sent cert mail to Mr. Hinkle on 2-8-21. Cert Mail: 7018-0360-0002-1999-2100
02/05/21	02/05/21	Diane Leonardi 904-540-0314

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Violation Id: V2100033      Prop Loc: 207 8TH ST  
Viol Date: 04/16/21      Status: Open      Comp Name: Todd Alexander  
Comp Phone: (904)703-2191      Comp Email: wtajax@yahoo.com

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Ordinance Id	Description
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Description: On February 12, 2021, an anonymous complaint was filed regarding a travel trailer at 207 8th St in the driveway.

Later, Todd Alexander sent an email 4-8 to let me know that he was the complaitant. See attached.

Code Enforcement drove past the property and confirmed that the travel trailer was there. It is located in the front driveway.

Created	Modified	Note
05/03/21	05/03/21	Certified Mail Received APRIL 22, 2021 -- SEE ATTACHED
05/03/21	05/03/21	Notice of Violation Sent 4-16-21, removal of trailer requested by May 1st, 2021.

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Violation Id: V2100044      Prop Loc: 208 4TH ST  
Viol Date: 05/28/21      Status: Open      Comp Name: Ahua Fescue Sikora-212 4th St  
Comp Phone:      Comp Email:

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Ordinance Id      Description

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Description: On 5-26-2021 a complaint was made regarding an unpermitted 2nd story deck at 208 4th St.  
See attached complaint.

The Code Enforcement Officer and Building Official visited the property the afternoon of May 26th. We spoke to the owner Joan Le Boss who showed us the second story deck. She explained that the second story deck was existing, however she had enclosed the deck with a screen and a roof. (The screen, new posts, and roof were all unpermitted work).

The Building Official explained to Ms. Le Boss that she would need to acquire an after the fact permit as well as stamped engineered plans. Ms. Le Boss stated that she would reach out to an engineer to begin the permitting process.

See notes.

Created	Modified	Note
07/19/21	07/19/21	Oave Mullins sent an email July 14th with an update. See attached.
07/08/21	07/08/21	Contractor Dave Mullins called on 7/7/2021. He spoke with Code Enforcement and the Building Official to discuss what exactly he would need for submitting a building permit package. The Building Official let Mr. Mullins know that he would need an engineer or architect to sign off on the balcony. Mr. Mullins said he will submit as soon as possible.
05/28/21	05/28/21	Later in the day on 5-28, Ms Le Boss emailed. See attached.
05/28/21	05/28/21	On the 27th Ms. Le Boss came into the office to get the permit applications.  Then on the 28th Ms. Le Boss called the office to request a copy of the original complaint. Code enforcement sent her the complaint via email and made note that the name "Donna C." was added to the complaint by me, after looking up ownership of the property on the property appraisers website. Ms. Le Boss called back soon after and asserted that the complaint was false, because the name of the complainant is not the name of the owner. I told Ms. Le Boss that a tenant is allowed to make a complaint, and pointed out that the owner and the complainant have the same last name, "Sikora". Ms. Le Boss insisted that the name on the complaint form is a false name and therefore makes the complaint a false record. I told Ms. Le Boss that because the complaint was verified by the Building Official and myself, that the complaint is valid, even if the complainant information is false. Ms. Le Boss then began insisting that she will not allow a false record regarding her be in our files and stated she was going to hire a lawyer. At this time, Code Enforcement ended the conversation with Ms. Le Boss. -JT

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Violation Id: V2100054      Prop Loc: 206 10TH ST  
Viol Date: 07/26/21      Status: Open      Comp Name: Richard Gray Public works  
Comp Phone:      Comp Email:

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Ordinance Id      Description

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Description: On 7/23/2021 Richard Gray from Public Works told Code Enforcement that when he went to 206 10th St to pick up trash, it was not out by the street, shortly there after a person who

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identified themselves as a property maintenance employee for the home arrived and place the trash by the street. They stated that this was a transient rental and handed Richard Gray a card for:

"vacation Rentals Beach Properties" [www.vacationrentaltime.com](http://www.vacationrentaltime.com) owner-founder John Clark, [john.vrbp@gmail.com](mailto:john.vrbp@gmail.com), 5633 A1A South, 904-679-5425, 904-509-0088

Code Enforcement visited this website and found the home listed as a 3 night rental. A customer review also mentions that there is a listing on Airbnb, which was verified. See attached photos.

Created	Modified	Note
08/18/21	08/19/21	<p>Homeowners assistant, Jessica, (404-735-5854, <a href="mailto:jessicaj.everestoneholdings@gmail.com">jessicaj.everestoneholdings@gmail.com</a>) called the office on 8/18/2021. She wanted to renew their transient rental license. I let her know that this property does not have a license and is unable to obtain one at this time.</p> <p>Jessica told me that the owner is Rokeya Muhaimeen (<a href="mailto:abulmuhaimeen@gmail.com">abulmuhaimeen@gmail.com</a>) , however, the name as a trustee on the ownership for the property appraiser is Tania Cook.</p> <p>Code Enforcement sent an email with the violation notice attached on 8/19/2021. See attached.</p>
07/28/21	07/28/21	Certified Mail Sent 7/28/2021 7020-0640-0000-7966-5402

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## **MINUTES**

### **PLANNING AND ZONING BOARD MEETING**

**TUESDAY, JULY 20, 2021, 6:00 P.M.**

**CITY OF ST. AUGUSTINE BEACH, 2200 A1A SOUTH, ST. AUGUSTINE BEACH, FLORIDA 32080**

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#### **I. CALL TO ORDER**

Chairperson Kevin Kincaid called the meeting to order at 6:00 p.m.

#### **II. PLEDGE OF ALLEGIANCE**

#### **III. ROLL-CALL**

BOARD MEMBERS PRESENT: Chairperson Kevin Kincaid, Dennis King, Chris Pranis, Victor Sarris.

BOARD MEMBERS ABSENT: Vice-Chairperson Roberta Odom, Larry Einheuser, Hester Longstreet, Alternate Scott Babbitt.

STAFF PRESENT: Building Official Brian Law, City Attorney Lex Taylor, City Manager Max Royle, Executive Assistant Bonnie Miller, Public Works Director Bill Tredik, Recording Secretary Lacey Pierotti.

#### **IV. APPROVAL OF MINUTES OF PLANNING AND ZONING BOARD MEETING OF JUNE 15, 2021**

**Motion:** to approve the minutes of the June 15, 2021 meeting. **Moved** by Mr. Pranis, **seconded** by Mr. Sarris, **passed 4-0** by unanimous voice-vote.

#### **V. PUBLIC COMMENT**

Mr. Kincaid asked for public comment pertaining to anything that is not on tonight's agenda.

Todd Horn, 31 Bermuda Run Way, St. Augustine Beach, Florida, 32080, said he and his wife live next door to Ocean Hammock Park, which lies to the south of their property. They are concerned about safety issues with the proposed plan to add more public parking at Ocean Hammock Park, as it is a secluded parking area, and there are plans to put in gravel paths really close to the property line and the backyards of adjacent residences in Bermuda Run. He would appreciate it if consideration was given to amending the plans for additional parking and pathways, so they are not a safety concern for the residents of neighboring residential subdivisions.

#### **VI. NEW BUSINESS**

- A. Land Use Variance File No. VAR 2021-05, for a variance to exceed the maximum residential driveway width of 18 feet, per Section 6.02.03.D of the City of St. Augustine Beach Land Development Regulations (LDRs), for a 37-foot, 9-inch-wide paver driveway abutting the City right-of-way of 2<sup>nd</sup> Street on Lot 5, Block 20, Chautauqua Beach Subdivision, at 106 2<sup>nd</sup> Street, Christa Jackson and Anthony Guthrie, Agents for Direct Home Buyer 1 Inc., Applicant



Ms. Miller said this variance application is for the property at 106 2<sup>nd</sup> Street to exceed the maximum residential driveway width in the City right-of-way, which, per Section 6.02.03.D of the LDRs, cannot exceed 18 feet with a maximum five-foot-by-five-foot flare on either side. The application requests to exceed the 18-foot driveway width to allow a 35-foot-wide paver driveway at the right-of-way of 2<sup>nd</sup> Street. Staff has been onsite to measure the paver driveway width, which is 37-feet, nine-inches wide, with no flares, at the right-of-way. Approximately 10 feet off the right-of-way, the paver driveway widens to the approximate entire width of the lot, which is 50 feet. There is a duplex residence on this property, which is zoned commercial. Staff was unable to find that a conditional use permit to allow residential construction of a duplex on this lot in commercial zoning was ever granted. The duplex was built in 1982, which predates the adoption and first codification of the City's Land Development Regulations in 1991. Public Works Director Bill Tredik is here to answer any questions pertaining to his recommendations for the granting of a variance to exceed the maximum driveway width of 18 feet at the right-of-way, and the applicant's representative is also here to address the Board and answer any questions.

Mr. Pranis asked if a stop-work order was issued for the permit for this paver driveway.

Mr. Law said the permits for the interior and exterior remodel of this property are still valid, as the paver driveway is not a building code issue, but a zoning code issue. The width of the paver driveway at the right-of-way was noticed and the property owner was contacted. Staff met with the property owner and the contractor who installed the pavers, and both were told that if they did not want to remove the pavers that had already been installed, they had no other alternative than to apply for a variance, as the width of the paver driveway extending into the right-of-way very obviously exceeds the 18-foot width allowed by City Code. A stop-work order was not issued, because the work was already done and the pavers already installed, and this is why they are here tonight.

Anthony Guthrie, 807 Mickler Boulevard, St. Augustine Beach, Florida, 32080, agent for applicant, said the duplex at 106 2<sup>nd</sup> Street has two units, which are located side by side. When he hired the hardscape contractor to install the paver driveway, he was informed a permit was not required to install pavers, but after the driveway was put in, he was notified by the Building Department that the driveway width extending into the right-of-way was too wide. However, if the width of the driveway followed the maximum 18-foot width allowed per Code, it would create a funnel that might not allow two vehicles to pull into the front of each unit of the duplex to park. The driveway needs to be wide enough to allow two vehicles to pull in and park in front of each unit on either side of the duplex, so this is the reason for the variance request to exceed the 18-foot driveway width at the right-of-way.

Mr. Sarris asked if there is a 25-foot setback from the front of the building to the beginning of the right-of-way.

Mr. Guthrie said the photograph displayed on the overhead shows 28 feet from the edge of the balcony to the end of the driveway extending into the right-of-way. The driveway extends six feet into the right-of-way, and it is his understanding that part of this right-of-way will be utilized for a walkway, or sidewalk, within the next year.

Mr. Tredik said there was a sidewalk planned in the 2<sup>nd</sup> Street right-of-way, but when surveyed, the majority of property owners on this street were against the sidewalk, so at this time, it is most likely not going to happen.

Mr. Sarris asked if the six-foot length of the paver driveway that extends into the 2<sup>nd</sup> Street right-of-way is the area in question and if this is what they are talking about in regard to the variance.

Mr. Guthrie said yes, the width of the portion of the driveway that extends a length of six feet into the right-of-way is the area in question, as this portion exceeds the 18-foot maximum width allowed by City Code.

Mr. Law said the right-of-way is the City's property. City Code very clearly specifies that under no circumstances

is the City responsible for the repair and maintenance of residential driveways in City rights-of-way, as when a property owner puts something in the right-of-way, it becomes the property owner's responsibility to maintain it.

Mr. Kincaid said he has a few concerns, the first of which is that this is a variance request, and as part of a variance request, the applicant has to demonstrate a hardship. He has not seen a hardship, though he is not sure an 18-foot-wide driveway at the right-of-way is going to work. Mr. Tredik has recommended a maximum width of 24 feet, if a variance is granted to exceed the 18-foot width. He drove down 2<sup>nd</sup> Street and walked around and noticed that most of the other driveways, if not all of them, on this street are wider than 18 feet, as is the driveway on 3<sup>rd</sup> Street east of A1A Beach Boulevard that is referenced in the variance application. However, all of these driveways were put in before the current Code limiting the driveway width to a maximum of 18 feet at the right-of-way went into effect. The Board has been very strict with variances this year in making applicants meet the conditions required for the granting of a variance, which include the demonstration of a hardship showing that if the Code was followed, the property owner does not have a reasonable economic use of the property. He does not think the applicant in this case has met that burden, though he does see that to allow a total of four vehicles, or two for each unit, to come off the street to access the duplex might be problematic with only an 18-foot-wide driveway extending from the right-of-way. He personally would like to allow the applicant the ability to get four vehicles off the street and into parking spaces in front of the duplex, as he thinks the City would gain from that, by not having more cars parked on the street right-of-way. If a residence was built on this lot today, the applicant would first have to get a conditional use permit to allow residential construction on a commercial lot, and when conditional use permits like this are granted, they are usually conditioned upon the residence being built in compliance with lot and ISR coverage, setbacks, and other regulations for medium density residential land use districts. This would limit the ISR on this property to a maximum of 50%, but as this duplex was built prior to the adoption of the current LDRs which require a conditional use permit to build a residential structure on a commercial lot, he does not think medium density residential regulations are in effect here.

Mr. Law said the duplex would be prohibited if a conditional use permit was applied for today, because of the lot size currently required for a duplex. Most of the duplexes, triplexes and quadraplexes that exist in the City would not be allowed today, due to the lot size requirements for these structures per the current LDRs. In this particular case, the duplex is a pre-existing building, and for the record and for those who are not familiar with this property, this was one of the City's largest code enforcement cases, in terms of longevity, as the disrepair and failure to maintain the property was an ongoing code enforcement case that went on for about 10 years and was just recently closed out within the last year. This has no bearing on the variance application, but the improvements made to the property since the current owner and applicant bought it have been substantial.

Mr. Kincaid said he absolutely agrees. He would like to see a compromise as to the reasonable width of the paver driveway in the right-of-way and would also like to hear Mr. Tredik's reasons for recommending the driveway width within the right-of-way be no more than 24 feet wide. If the variance is granted, he thinks it should be subject to the condition that the ISR coverage be limited to the maximum 50% allowed for medium residential properties, because right now, the current commercial zoning of the lot allows a maximum of 70% ISR coverage, which he would like to avoid, as he thinks most people do not want to see that much paving on residential lots.

Mr. Sarris asked if there are any other materials allowed in the right-of-way, such as rock, gravel, sod, etc., that could be used if the Board declines to grant a variance and decides the applicant needs to stick to complying with the 18-foot driveway maximum width in the right-of-way as mandated by City Code.

Mr. Tredik said there are definitely pavers that are more pervious with gravel gaps between them to allow water to flow through, and he recommends that any pavers extending into the right-of-way be pervious with a 10% or greater permeability ratio, as is the case with the pavers being used by the contractors in the Ridge Subdivision.

Mr. Law said the pavers being used in the Ridge are Tremron Olde Towne Pervious Pavers, which sit on a gravel bed and have a larger nub on each end. These pavers have a 10.5% permeability ratio. The ISR for a property, however, is not affected by whatever is put in the right-of-way.

Mr. Tredik said there are certainly other options that are even more pervious than the Tremron permeable pavers, such as gravel, and if you have a driveway of a certain width, you can create a gravel bed that can be driven across. He recommended 24 feet as the maximum driveway width in the right-of-way because he looked at how much space would be needed to access four parking spaces from two separate driveways, which landed him at a 12-foot minimum width for each driveway. This is what he thinks would be needed to navigate and park in a 9-foot-wide parking space with a few feet on either side to make that shift. This would require slight maneuvering to get into a parking space, but that was why he recommended combining two 12-foot-wide driveways for a total of 24 feet, with the area in between composed of grass or some other pervious material. He realizes there is a bit of a hardship here because of the need for access into four parking spaces that are perpendicular to the right-of-way.

Mr. Pranis asked Mr. Tredik if his recommendation for a maximum driveway width of 24 feet is for the entire depth of the paver driveway that currently extends six feet deep into the right-of-way.

Mr. Tredik said yes, and on the property owner's side of the right-of-way, the driveways can then widen out to the maximum ISR coverage allowed on the lot. There has to be some provision to limit the width of driveways in the right-of-way, because the proliferation of paving in rights-of-way is a problem in the City.

Mr. Pranis asked if the 24-foot-width of the paver driveway going six feet deep into the right-of-way will, in Mr. Tredik's estimation, provide enough room for two vehicles on each side of the duplex to maneuver in and out.

Mr. Tredik probably not if there is only one 24-foot-wide driveway, but if there are two 12-foot-wide driveways, with a gap in between, there probably would be enough room to maneuver into the parking spaces. This is his estimation based on sketching in auto-cad the two 12-foot-wide driveways with a gap in between them.

Mr. Kincaid asked for public comment.

Sandra Krempasky, 7 C Street, Apartment A, St. Augustine Beach, Florida, 32080, asked if the applicant has to have a paved driveway, or if he could just have two tracks of pavers leading to the two parking spaces in front of each unit of the duplex, separated by grass or gravel between the two units of the duplex. This is just a suggestion, as this would not be a driveway, but just two lanes of pavers leading to the parking spaces.

Mr. Sarris said considering the hardship here, he asked if it is worth noting that as the City is currently trying to improve the parking situation, this could be a consideration for approving the variance, as the Board does not want to set a precedent of allowing paved driveways to exceed the maximum width stipulated by City Code.

Mr. Kincaid said this should absolutely be noted as part of the Board's discussion that allowing the driveway width to exceed the maximum allowed per City Code so that parking for the duplex can be maintained and accessed onsite works in the City's best interest in assisting with the overall parking burden in the City.

Mr. Taylor said one more thing the Board might want to include in the record for the discussion on this variance is that the building at 106 2<sup>nd</sup> Street has historically been used as a residential duplex, and even though it was originally built before a conditional use permit would have been needed to allow it on a commercial lot, this could be taken into the consideration for the granting of the variance. This creates the precedent that the maximum uses and regulations, such as ISR, allowed on this property be smaller, and historical use is part of that process.

Mr. Kincaid asked if Mr. Taylor is suggesting the applicant be asked to get a conditional use permit for the residential use of the duplex on a commercial lot.

Mr. Taylor said no, he is only suggesting it be acknowledged that the building has been there for a very long time and is currently being repurposed to the same purpose it previously had. The building's purpose and use as a duplex is the historical use of the building, which can be taken into consideration for some of the reasoning as to why the variance for this building should be granted, versus a similar variance for another building down the road.

Mr. Kincaid said he thinks the property, once the interior and exterior remodel has been completed, is going to be much better than it was previously. He thinks everyone wins with the improvement and restoration of this property, and the ability to create parking for its current use as a duplex without giving up the entire right-of-way.

Mr. Taylor said the second thing is that this variance is only for the part of the paver driveway that extends into the right-of-way, which the City owns and has say over. There are potentially some issues if restrictions are placed on the rest of the driveway or the building, as these restrictions would be outside of the regulations for driveways in rights-of-way. Normally, when a variance is considered, the Board looks at the entire property as a whole, but this variance is only for the square footage of the paver driveway that extends into the right-of-way.

Mr. Kincaid said as a condition for granting the variance, he would like it to be put in the motion that the ISR for the property be kept in compliance with maximum ISR allowed for medium density residential, which is 50%.

Mr. Taylor said if the applicant is okay with that, he thinks that would be wonderful, but the focus of the variance should be only for the square footage of the paver driveway that extends into the right-of-way.

**Motion:** to approve Land Use Variance File No. VAR 2021-05 for a variance for the property at 106 2<sup>nd</sup> Street to exceed the maximum residential driveway width of 18 feet, per Section 6.02.03.D of the City's LDRs, to allow a maximum width of 24 feet for the portion of the driveway extending into the right-of-way, subject to the conditions that said pavers extending into the right-of-way shall have a permeability ratio of 10% or greater, and per agreement of the applicant, the impervious surface ratio of the property shall not exceed the maximum impervious surface ratio allowed for properties in medium density residential land use districts per Section 6.01.02 of the City's LDRs. **Moved** by Mr. Kincaid, **seconded** by Mr. Pranis, **passed 4-0** by unanimous voice-vote.

- B. Ordinance No. 21-09, passed on first reading by the City Commission at its regular monthly meeting held July 6, 2021, to amend Sections 12.05.03, 12.05.05, and 12.05.06 of the City of St. Augustine Beach Land Development Regulations (LDRs), to change the process for adopting Comprehensive Plan and Land Development Code amendments

Mr. Taylor said the City Commission is looking at delegating more things to the Planning and Zoning Board, and part of this is the overall aim to shorten the number of agenda items for City Commission meetings. Florida Statutes mandate any changes to the Comprehensive Plan and/or LDRs to be heard at two full public hearings, one of which is allowed to be held before the Planning and Zoning Board. The way things currently work is that when changes are proposed, they come before the City Commission first, and if the Commission decides to move forward with them, two public hearings are then held for the proposed changes, so essentially, proposed changes are talked about at three, sometimes even four, different meetings. That is not required by law, so for all intents and purposes, what this proposed ordinance does is set the first public hearing for proposed changes before the Planning and Zoning Board for the Board's recommendation to the City Commission, and the second, and final public hearing, before the Commission. There are pluses and minuses to that, as the City Commission has the ultimate authority to override any recommendations made by the Board and approve or deny whatever changes

are made, but the Board touches land use issues all the time, and in many ways, the Board may be thinking about a lot of things and may bring up many issues the Commission does not think about. From that standpoint, there is a big advantage to bringing the first public hearing for any proposed changes to this Board first. The Board is tasked with making a motion for a recommendation to the Commission regarding the proposed ordinance that puts these new regulations for how changes are made to the Comprehensive Plan and/or LDRs in place.

Mr. Sarris asked how the changes per the passage of this ordinance would be advantageous to the Board.

Mr. Taylor said the Board is already reviewing proposed changes to the Comprehensive Plan and LDRs, but a public hearing before the Board is not actually held. This ordinance puts the first public hearing before this Board. Currently, proposed Comprehensive Plan and LDRs changes only come to the Board as a courtesy, as it is not a requirement for them to come before the Board. This ordinance is structured to require the first public hearing for all land development changes to be held before this Board for the Board's input and recommendation in support or opposition to the Commission. Theoretically, the Commission can now approve any ordinance to implement land development changes without any input or recommendations from the Board. This ordinance requires all such changes to be put on the Board's agenda, so the Board cannot be left out of the process.

Mr. Sarris asked if it would then be safe to say this is a more efficient way of doing it.

Mr. Taylor said yes, because it will increase the speed with which the City can amend the Comprehensive Plan and/or LDRs by at least a month. It codifies that this Board will be able to give its recommendation on these types of changes and amendments so that the Commission cannot skip, or bypass, the Board's review or input before adopting them. As the Board legitimately deals with a lot of land use issues for the City, the Board is a good expert base to ask good questions and give good input on these types of changes.

**Motion:** to recommend the City Commission approve the final reading of Ordinance No. 21-09 as drafted. **Moved** by Mr. Sarris, **seconded** by Mr. Pranis, **passed 4-0** by unanimous voice-vote.

- C. Discussion of public parking and creating a priority list of projects for creating a five-year plan for improvements to recommend to the City Commission, continued from the Board's June 15, 2021 regular monthly meeting

Mr. Royle said notice was sent to all the Board members to rank their priorities for additional public parking, with the responses submitted by Mr. Kincaid and Ms. Odom provided to the Board. Additional information was also provided in the form of exhibits as background information to help the Board members in their review and rankings of potential new parking areas, along with copies of a petition titled "Save St. Augustine Beach" with the signatures of residents asking City Commissioners to hold up on their plan to potentially add 162 new parking spaces in various areas between the Publix shopping center and Pier Park. The Board does not necessarily have to make any recommendations to the Commission about parking tonight, but they might want to listen to public comment, and continue this agenda item until the Board's next regular monthly meeting in August.

Mr. Kincaid said he would prefer, unless there is a different opinion here, that the Board listen to public comment, but not make any motions or decisions pertaining to parking tonight, as less than half the Board members are present, and it would be nice to have the input of the rest of the Board before moving ahead with any motions.

Mr. Pranis said he thinks the input from the public is very important and tabling this agenda item to next month's meeting would be the wise thing to do.

Mr. Kincaid asked if everyone has a good understanding of what the Board is looking at, which includes prioritizing

the eight locations proposed as potential areas that could be used for additional parking. As public input on this is important, he asked anyone who would like to speak to fill out a request to speak card, located on the table at the back of the room, and submit it to the recording secretary. He then asked for public comment.

Patricia McInerney, 29 Bermuda Run Way, St. Augustine Beach, Florida, 32080, said she is concerned about the intent to add more parking in Ocean Hammock Park. While it is understood the City wants to increase available parking, the adjacent residents have some real safety and security concerns. The proposed walkway around the designated parking area actually borders the backyards of adjacent residents, which means people can just walk up to her house, and her neighbors' houses, without any barrier between the walkway and their lots. Bermuda Run is a gated community, which is one of the reasons she moved there, as she is a widow and lives alone, and would like to feel she is safe. Another reason she picked Bermuda Run is because everything is limited to just one street, so it is all very friendly, and the neighbors all take care of one another. However, they cannot take care of those who come into their neighborhood from an area they do not have control over. She asked that the City take another look at the proposed walkway in Ocean Hammock Park, and seriously consider the safety of nearby residents. This does not mean the additional parking at Ocean Hammock Park has to be eliminated, but eliminating the walkway will give adjacent residents the safety and security they need.

William Alonso, 938 Deer Hammock Circle, St. Augustine Beach, Florida, 32080, said regarding the parking spaces proposed along the alphabet streets and on City plazas, he thinks the plazas are a great enhancement to the City. Driving along A1A Beach Boulevard today, he saw families sitting in plazas and enjoying them, whereas putting parking lots on plazas will not be enjoyed by the residents. He heard one of the City Commissioners say he gets a lot of emails from residents living on alphabet streets complaining about parking, so he took it upon himself to look down those streets every time he rides his bike, walks, or drives, and he's hardly seen any cars parked there, even on weekends, just three or four cars parked on empty lots on E Street, and a few at the surf station on F Street. He thinks the City has enough parking, and most of the people who come from out-of-town to enjoy the beach head more toward the pier. He would prefer to not have the plazas used for additional parking.

Mr. Kincaid said to clarify the issue quickly so people understand, the proposed locations for additional parking did not come from this Board but were recommended to the City Commission as potential locations and opportunities to expand parking. The Commission has asked the Board to look at and discuss the opportunities and listen to the public about the ones that make sense and those the City should probably avoid. He thinks there is a general consensus that parking in the City is insufficient a lot of times, as it overflows into people's yards and driveways and into other places where people decide to park without regard to the residents who live here. He thinks this is an issue, but to the best of his knowledge, this Board has not, up to this point, taken a position as to where additional parking should be located. The locations were sent as recommendations to the Commission, which forwarded them to the Board for the Board's review and input, and that is where they are at with this now.

Mr. Pranis said the Board can also come up with other opportunities that are not even mentioned in the recommendations that have been forwarded to the Board, so they are working on this as well.

Rolando Mejia, 457 Ocean Grove Circle, St. Augustine Beach, Florida, 32080, asked where the recommendations for locations for additional parking came from.

Mr. Tredik said staff was asked to identify available properties or land that could be used for parking. The parking debate has been going on for awhile and many of these same locations were discussed about two years ago, but it never went anywhere. There is a need for parking on A1A Beach Boulevard, and he thinks the people who live here understand, as the demand for parking is spilling down the number and alphabet streets that run from east to west across the Boulevard. However, there are no specific locations chosen for additional parking at this time.

Mr. Kincaid said he thinks it is important to point out there is currently no specific plan for additional parking, the opportunities put forward are locations where the City owns property and areas where more parking could be put in. It does not mean each opportunity is a good idea, or one that makes financial sense. He would be very against paving over all of the City plazas and turning them into parking lots, but the City does own some undeveloped land that could be utilized for parking, and these locations are part of what they are considering for parking.

William Alonzo, 938 Deer Hammock Circle, St. Augustine Beach, Florida, 32080, asked if there is any data as to how much additional parking is needed, such as how many vehicles are coming here every day looking for a place to park, and how many parking spaces there are. He sees more parking is needed on holidays like the 4<sup>th</sup> of July, Memorial Day, and Labor Day, when shuttles are used to transport people from off-site parking sites to the beach, but is there any data as to how many additional parking spaces are needed on average weekdays and weekends? He would like to see something that substantially says, for example, that there are 5,000 parking spaces available for public parking in the City, but every day, 10,000 vehicles come here looking for a place to park.

Mr. Kincaid said he does not know exactly what data exists as to how many people come to the City each day looking for a place to park. He asked for any additional public comment.

Sandra Krempasky, 7 C Street, Apartment A, St. Augustine Beach, Florida, 32080, said as chairperson for the City's Sustainability and Environmental Planning Advisory Committee (SEPAC), one of SEPAC's ideas is to use one of the City plazas to create a model for green infrastructure that can be used for other plazas and include the use of small retention ponds, drainage, landscaping, and biodiversity. SEPAC's plan is to hire a green landscape architect to create a plan that can include parking spaces, but it would be a cohesive look at the space. The plazas are all different sizes so the model would not be one-size-fits-all. SEPAC has asked that \$10,000 be put in its budget to hire a green landscape architect, even though probably only about \$5,000 would be needed to do this. It is her understanding that the project would have to be paid for up front, so the plan is to use some of the \$37,000 in Mr. Law's tree and landscape fund, which would then be reimbursed. She asked the Board to consider this as they move forward with the discussion on parking, as she feels they should be working together on this, instead of going off into diametrically opposed areas or ways. Also, she has heard that some of the plazas are common elements of platted neighborhoods and the City might not really have control over developing these plazas.

Mr. Taylor said any issues with development on plazas in platted neighborhoods may take more time, but the City still controls these plazas and can ultimately decide to change or develop them. At this point, the Board is just looking at what makes sense and what doesn't. Regarding the legality of the plats, there may be some steps or hoops that may take some time and effort to jump through, and it may be found that developing some of these plazas are not worth doing, but none of it is insurmountable. It would just be a part of the plan down the road.

Mr. Law said for the record, the tree and landscape fund the SEPAC chair spoke of is not his personal money, nor is it under the control of the Building and Zoning Department. Officially, the Building and Zoning Department has no opinion on public parking on public property. His department deals specifically in the private sector.

Debbie Foppe, 901 Ocean Palm Way, St. Augustine Beach, Florida, 32080, she is part of and has participated in the petition to collect signatures, of which they have roughly 1200 signatures now, between electronic and paper signatures, all asking that the City step back and look at what the people really want for their community. She and her husband moved here six years ago from the northern part of the County, where tens of thousands of houses are being built, and even back six years ago, they had a difficult time finding parking to get to the beach from Mickler's Landing in Ponte Vedra. If you parked outside this park, you got towed away, and everybody knew that, so they got there early. Most of the residents who signed the petition feel this City should not be required to provide parking for everybody in the northern part of the County, with all the building that is going on there.

Ponte Vedra does not feel that way, as they are not expanding its parking, as far as she knows. This City already provides a lot of parking with the parking allowed on the beach and off-beach parking sites. No matter how much parking there is, it is never going to be enough. At what point does the City say it is done, so people better plan their day and get here early, because the City is not going to provide additional parking. She asked the Board to listen to the citizens and stop going in the direction of saying the City needs to have, and provide, more parking.

Beth Pelzer, 461 Ocean Grove Circle, St. Augustine Beach, Florida, 32080, said parking is important, but safety is the biggest issue. Right now, some people driving down A1A Beach Boulevard do not know what the crosswalks are for, let alone the flags that are used by pedestrians to alert traffic to stop to let them cross in the crosswalks. She knows adding parking along the Boulevard is not up to this Board, as the Boulevard is a County road, but if more parking is added along it, people are not going to cross the street at the crosswalks, they will take the shortest path across the street, and walk right in the middle of it, because that is what they do now. However, her biggest concern is Ocean Hammock Park, not necessarily the parking, but the safety issue. She had lunch in Marsh Creek and one of the ladies said her husband will not let her park at Ocean Hammock Park anymore, because they were there with grandchildren and a couple of scary people jumped out of the woods. If you look around in the woods at Ocean Hammock Park, you can see where there have been fires, and you can see needles, packets, and so many beer and liquor bottles. It is not an exposed area, so it is a perfect hiding place, and it is very poorly maintained. If it is maintained as it is now when bathrooms and picnic tables are added, the City is going to create an attractive nuisance problem just like they have in California, as these extra amenities will be used mostly by people who come in late at night. They were promised the park would be locked at night, but it is not ever locked. There are three gates, and when they had the police representative out there, he did not know there was a second gate, much less three gates, that have never been locked and have their hinges falling off.

Kevin Hoey, 1657 Makarios Drive, St. Augustine Beach, Florida, 32080, said looking at the eight areas proposed for parking, he personally does not think a lot of people would have a problem if the area along 4<sup>th</sup> Street was paved for parallel parking, as people are already parking there. Something needs to be done in the A Street area, as it is kind of a mess, but when you take a look at the other locations, which are what he would consider green or open space, and others would call undeveloped areas, they represent an additional 139 parking spaces. His biggest concern is if you eliminate the green and open spaces, this is first of all really going to destroy the character and charm of St. Augustine Beach, and second, it will obviously increase traffic. As the previous speaker said, no one pays attention to people in the crosswalks, so it will be a complete mess. The St. Johns County Government website said this area will increase by 42,000 people in the next few years, by 2025, so does anyone really think putting in 162 parking spaces in the eight proposed locations will be sufficient? He thinks what will happen is the charm of St. Augustine Beach will be destroyed and they will still have the same mess they have now with parking.

Robert Langston, 673 Ocean Palm Way, St. Augustine Beach, Florida, 32080, thanked the Board for hearing him, and said he appreciates what the Board members do for the community. The notion that they are prioritizing where parking will be created says that the decision has already been made. This is a problem because this presupposes that the community does not have any voice or say in what goes on, as it says the City is looking to put more parking in, and it is just a matter of where it is done first. He thinks looking at the City's vision plan and updating it is the first approach the City should take. In other words, what do they want the City to be when it grows up, and what do they want the City to look like in 5, 10, and 15 years? Once they decide that, they can then decide where and how more parking might be added, consistent with the vision plan. His request is that the Board recommend the Commission hold off on the parking issue until the City has an updated vision plan. Once this is done, they can then talk about what needs to be done to make the City look like the vision plan they have.

Mr. Pranis said he mentioned at the last two meetings that getting the vision plan back up to speed, as it is a little outdated, makes total sense, in his opinion, in regard to what they want the City to be in the future. What is the



City's brand, and where are they going? That should be defined before they worry about parking.

Mr. Kincaid agreed and said he does not think they should go anywhere without a vision. However, he also thinks there should be a balance somewhere and he believes as they are asking the citizens to pay for these parking lots and absorb them as part of their community, even though they will mostly not be used by residents, if this is something the City moves forward with, it should enhance the experience of residents, to take away from the burden that is identified. As everyone does not agree, however, that there is a burden, the burden needs to be identified, as well. Having said that, this Board is looking at specific recommendations brought back from over a year ago, as the Commission has now decided to move forward with parking projects. He is not sure he agrees it is not a worthwhile endeavor because they will never be able to create enough parking spaces. He thinks that is a dangerous concept. With 42,000 more people moving into the County, you can anticipate, whether you have a vision plan or not, that more people will be coming here, so they can prepare for this, unless they want to actively discourage people from coming here. He thanked everyone for their comments, which will go into the meeting minutes for the rest of the Board members, the Commissioners, and members of the public to read. At some point, there will be a motion made by the Board for a recommendation to the Commission to go in one direction or another, but it is ultimately up to the Commission to make any final decisions. For those who think the citizens do not have a say in the matter, citizens do have a say, and this is the process. This is the public hearing that members of the public have an opportunity to speak at, and it is very valuable for the Board to hear what the public has to say. The City Commissioners are the elected officials, so the public's real involvement in the process is through the election of these officials who make the final decisions. The Planning and Zoning Board members are appointed by the Commission, and they are very happy to listen to what the citizens have to say and consider these comments in moving forward with recommendations to the Commission.

Mr. Taylor said the Board may actually want to make a motion to table this agenda item to next month's meeting, and put that on the record, if the Board intends to table this discussion to the next regular monthly meeting.

**Motion:** to table this agenda item to next month's regular monthly meeting, scheduled on Tuesday, August 17, 2021, at 6:00 p.m. **Moved** by Mr. Kincaid, **seconded** by Mr. Pranis, **passed 4-0** by unanimous voice-vote.

## **VII. OLD BUSINESS**

There was no old business.

## **VIII. BOARD COMMENT**

There was no further Board comment or discussion.

## **IX. ADJOURNMENT**

The meeting was adjourned at 7:02 p.m.

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Kevin Kincaid, Chairperson

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Lacey Pierotti, Recording Secretary

(THIS MEETING HAS BEEN RECORDED IN ITS ENTIRETY. THE RECORDING WILL BE KEPT ON FILE FOR THE REQUIRED RETENTION PERIOD. COMPLETE AUDIO/VIDEO CAN BE OBTAINED BY CONTACTING THE CITY MANAGER'S OFFICE AT 904-471-2122.)



## MINUTES

### SUSTAINABILITY & ENVIRONMENTAL PLANNING ADVISORY COMMITTEE MEETING

WEDNESDAY, AUGUST 4, 2021, AT 6:00 P.M.

CITY OF ST. AUGUSTINE BEACH, 2200 A1A South, St. Augustine Beach, FL 32080

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#### I. CALL TO ORDER

Chair Krempasky called the meeting to order at 6:01 p.m.

#### II. PLEDGE OF ALLEGIANCE

The Committee recited the Pledge of Allegiance.

#### III. ROLL CALL

Present: Chair Sandra Krempasky, Vice Chair Lana Bandy, and Members Lonnie Kaczmarzsky and Karen Candler.

Member Craig Thomson arrived at 6:18 p.m.

Members Ann Palmquist and C. Michel Cloward were absent.

Also present: Deputy City Clerk Dariana Fitzgerald and Grounds Foreman Tom Large.

#### IV. APPROVAL OF MINUTES OF JULY 14, 2021, REGULAR MEETING

**Motion:** to approve the minutes of July 14, 2021, with correction of typographical errors. **Moved by:** Member Candler. **Seconded by:** Vice Chair Bandy. Motion passes unanimously.

#### V. PRESENTATION OF REPORTS:

##### 1. Anastasia Island Environmental Stewardship Awards

**This Item was postponed until September.**

##### 2. Discussion on Helium Balloons

Vice Chair Bandy advised that she was contacted by several community members who asked if SEPAC could discuss the topic of banning the release of helium balloons and to possibly suggest the ban to the Commission. She said that there was also an article in the newspaper the very next Sunday. Many communities, including St. Augustine, have banned the release of helium balloons. She said that it is bad for sea life, and it is an eyesore. She questioned how it would be policed. Deputy City Clerk Fitzgerald advised that the Commission discussed banning helium balloon in 2016 which was a suggestion by Jane West and that it only applied to the sale of the balloons within the City. Vice Chair Bandy said that it is allowable to release 10 balloons per person, so a group of 10 people could possibly release 100 balloons. Member

Kaczmarsky asked if there could be a motion. Deputy City Clerk Fitzgerald advised that it is not currently being discussed by the Commission or the Comprehensive Planning and Zoning Board (CPZB). She said that it could be a suggested topic to either the CPZB or the Commission. Member Candler suggested to make it a Newsletter article. Vice Chair Bandy advised that the newspaper article listed the cities that have agreed to ban the use of the helium balloons and that the City is indicated as not being a participant. Deputy City Clerk Fitzgerald advised that item 7.d of the City's current event application requires that the applicant agree to not use helium balloons.

Discussion ensued regarding the different types of events that require the City's application.

Ms. Lauren Trice, 1480 Old A1A South, St. Augustine FL, advised that there are some communities in Duval County that currently have bans on the release of helium balloons.

Discussion ensued regarding how to address the topic with the Commission; to send an email to City Manager Royle asking for it to be added to the September Commission agenda; to provide background information to go along with the agenda topic; that the information needs to be received no later than August 30<sup>th</sup> for the September 13, 2021, agenda books.

Chair Krempasky moved on to Item 3.a and asked Foreman Large for his report.

### 3. Reforestation and Landscaping Projects

#### a. Resident Tree Program

Foreman Large advised that he has not had a chance to get together with Director Tredik. He said that Leonardi's Nursery has not been able to plant the palm trees on the Boulevard yet because they are short staffed. He advised that he would follow up with Leonardi's. Chair Krempasky asked if SEPAC could pre-pay Leonardi's so that it stays in this fiscal year's budget. Foreman Large advised that he would have more information in September. Chair Krempasky asked if there is a grace period for a planned project. Deputy City Clerk Fitzgerald advised that there is a purchase order for the project, which allows for a bit more time.

Chair Krempasky moved on to Item 3.b.

#### b. Mickler Boulevard

Vice Chair Bandy advised that the City did not receive the Lowe's 100 Hometowns grant. She said that Member Kaczmarsky mentioned last month that local store managers might be willing to give gift cards to purchase supplies from their stores for SEPAC projects and that she would like to approach them for supplies to make the benches and/or buy the plants for the Mickler Boulevard project.

Discussion ensued regarding the pollinator boxes and posts; that SEPAC still has \$400 to spend; the bioswale sign; etc.

Member Kaczmarsky advised that he contacted Quick Signs of St. Augustine and that he has a PowerPoint presentation for the design of the sign (Exhibit A). He said that if SEPAC does not have the money that he would donate money for the sign. He discussed a conversation he had with a resident while weeding the swale. Vice Chair Bandy asked how much the sign would cost. Member Kaczmarsky said that he did not

get a price but that it could be a few hundred dollars. Member Thomson said that Member Kaczmarsky has already done an amazing amount of research. Chair Krempasky advised that she would contact the Finance Director tomorrow to verify that SEPAC has \$400.

Member Kaczmarsky discussed the highlights from his PowerPoint presentation. There are five steps showing how the bioswale works and helps the environment. He said that the swales are full of invasive weeds. He suggested that SEPAC could pay someone once or twice a year to weed. He said that he uses a weeding service for his home, and they charge \$35 an hour. He asked what the threshold is for asking for a bid. Deputy City Clerk Fitzgerald advised that she thought it was \$1,000 and that SEPAC must get permission to spend any money.

Chair Krempasky advised that SEPAC did not submit the request in time to be funded for FY 2022 budget and that she would check with Finance Director Douylliez to see if SEPAC should attend the August 11, 2021, Commission meeting to pitch the green infrastructure model. She said that SEPAC was not funded in the beginning of last year either, but eventually was funded \$2,500. She asked Member Kaczmarsky how much the signage would cost. Member Kaczmarsky said that some types of signs could cost as little as \$50.

Discussion ensued regarding different size signs; different types of signs; being similar to the parkette signs; that Public Works has a mounting system.

Member Thomson asked about using the parkette sign system. Member Kaczmarsky said that he thought it was expensive.

Foreman Large advised that Public Works still has a lot of the poles left over and they could be used for the signs at no cost. He explained how the mounting works and said it would have to be done in a way that would not damage the sign. Member Thomson advised that Member Kaczmarsky would need to determine what size sign would match with the graphics.

Discussion ensued regarding the previous signs that were designed by Chair Krempasky; that the sign companies should be familiar with these types of signs; to take photos of the parkette signs to use as a model; to contact several different sign companies; that a white background in the sun could potentially be blinding and to use yellow or tan.

c. Urban Forestry and Planning Projects

**This topic was not discussed.**

Chair Krempasky moved on to Item 3.d and asked Member Thomson for his report.

d. Model Green Infrastructure Plan

Member Thomson advised that he spoke with City Manager Royle, Director Tredik and Mayor England. He said that he believes that they are underestimating green infrastructure structure as a viable stormwater management tool. He said that either they are not interested or not educated. He suggested to make a presentation to the Commission with the help of Member Kaczmarsky. A presentation was done in 2019

and that there are ways to work with the environment. He said that he drove through Coquina Gables after the recent rains and there was standing water in the parkettes and yards. The City is talking about spending millions of dollars on rainwater that would go directly into the intercoastal. The City falls behind what other cities are doing for sustainability and the quality of the environment. He suggested to make a presentation to the Commission.

Vice Chair Bandy asked what SEPAC has in mind for the green infrastructure. She advised that she met a landscape architect and she tried to describe the work. Member Thomson advised that next month's Newsletter article is going to be about green infrastructure and that it would be good timing to give a presentation to the Commission. He said that SEPAC needs to emphasize an alternative that is more sustainable to the environment and to the unique situation of St. Augustine Beach. Vice Chair Bandy said that it would be more than rain gardens and permeable pavers. Member Thomson said that Member Kaczmarzky could better explain green infrastructure which is a system that holds water for a time and then it is released.

Member Thomson said that there would be civil engineering work involved and that SEPAC is not getting support from City staff and that it should be taken directly to the Commission. He does not think that City Manager Royle understands the complexity and that this Committee should not be responsible for the design, bid, and overseeing the construction.

Discussion ensued regarding the Newsletter article being explanatory; that there are numerous cities that are working on these types of projects; that St. Augustine Beach is a unique situation; etc.

Member Thomson advised that SEPAC is not being effective as a sustainability board. Member Candler asked if SEPAC could be on the next Commission agenda. Chair Krempasky said that it would have to be September because the August 11<sup>th</sup> Commission books are done.

Member Thomson advised that there is Tree Fund money that could potentially be utilized for this type of project and that staff does not seem to be interested in the project. Chair Krempasky advised that there is a time crunch because of the upcoming budget meetings. Deputy City Clerk Fitzgerald advised that the first public hearing is September 13, 2021, at 5:01 p.m. with a second vote in September to finalize the budget. Chair Krempasky said that SEPAC will not be able to get the money unless it can present it to the Commission while they are discussing the budget. Member Thomson said that the City is spending millions of dollars, and this is part of resiliency planning that the City needs to be doing based on the Vulnerability Study. Chair Krempasky asked if SEPAC should make a presentation to the Commission and not be concerned about the budget at this point. Member Thomson agreed.

Chair Krempasky said that it is somewhat insulting. The City should be past having to put on a show and that there is a need to hire professionals. She said that this project should be a role model for future projects.

Vice Chair Bandy said that she was doing research on a website for the Environmental Protection Agency (EPA) and that there is a grant called "Greening America's

Communities” and it is to have models in each state with examples of what a sustainable community looks like. She said that there is a video and a list of the 33 communities that it has already helped on their website. She said that it is not currently in Florida but that they do want to have one in every state. She described how it would design and plan the spaces to deal with certain issues. Member Kaczmarsky asked if it is funded. Vice Chair Bandy said it appears to be funded and it is backed by the EPA. She said that SEPAC does not have anyone to help write the proposals and that she would be willing to call the agency to find out more. She suggested the possibility of teaming with the City of St. Augustine. She said that the program used to be for larger, capital cities, and now it is for smaller cities as well.

Chair Krempasky asked Member Kaczmarsky about the grant information that he found. Member Kaczmarsky said that it would be for the next cycle in January 2022 and that SEPAC could start planning for it now. Vice Chair Bandy said that it started with a webinar.

Member Kaczmarsky said that last month SEPAC talked about identifying a parkette for the green infrastructure project and asked if there was any feedback from Director Tredik. Foreman Large advised that he spoke to Director Tredik and that he did not think that the parkette at 11<sup>th</sup> Street would be an option.

Chair Krempasky said that the Comprehensive Planning and Zoning Board (CPZB) meeting last month discussed parking and that there were public comments requesting that the City not use the parkettes for parking. She would like for SEPAC and the CPZB to be on the same page and that the models could include some parking. She said that the CPZB did not make any recommendations to the Commission. Member Kaczmarsky said that the Commission is pushing the parking issue.

Chair Krempasky asked if SEPAC should use the grant money in FY 22 for the green infrastructure model. Member Thomson suggested to ask the Commission to consider a green infrastructure and to also consider SEPAC’s goals and purpose. He said that SEPAC needs to describe the project as having positive drainage, the planning, the Vulnerability Study, etc. Chair Krempasky said for SEPAC to make a presentation to the Commission and that SEPAC would be writing grants to fund this project.

Discussion ensued regarding other grants to qualify for.

Chair Krempasky said that she is getting a mixed message because Member Thomson said that he does not care if SEPAC gets funding in the FY 22 budget. Member Thomson said that the Commission needs to get behind this. Chair Krempasky advised that the Commission has to make its final decision on the FY 22 budget on September 30, 2021. Member Candler said that SEPAC was supposed to request money in the FY 22 budget. Chair Krempasky advised that she did request money, but that it was too late because the first booklets had already been completed. She said that she spoke to Commissioner George, and she said that it was discussed at their individual budget meetings with staff.

Member Thomson said that the Commission needs to decide how to split the money between the departments, and the directors could decide how to spend their

department's budget. He said that SEPAC cannot write the grants, get the money, and get the projects going and that the Commission should ask staff to do the work. He said that the staff is ignoring SEPAC so they would not help. Member Kaczmarsky advised that Deputy City Clerk Fitzgerald helped when SEPAC did the USDA grant.

Member Thomson asked if the focus was going to be on green infrastructure or ignoring the sustainable solution. Member Candler suggested to put the presentation together and present it at the next SEPAC meeting for approval and then it could be presented to the Commission on September 13<sup>th</sup>.

Discussion ensued regarding when the next SEPAC meeting would be.

Member Thomson said that the PowerPoint presentation is about sea level rise and stormwater threats and shows how the system works.

Discussion ensued regarding SEPAC teaching the Commission; that the City is doing the opposite; how to keep your neighbor from flooding; rain barrels being developed as an incentive, etc.

Chair Krempasky asked how SEPAC could do a joint presentation since Members are not allowed to speak to each other because it is a Sunshine Law violation. Member Thomson said that he and Member Kaczmarsky would submit individual parts of the presentation and then SEPAC could edit it at the meeting. Chair Krempasky agreed.

Member Candler asked how SEPAC gets on the Commission agenda for the September 13<sup>th</sup> meeting. Chair Krempasky advised that SEPAC was already on the agenda for the helium balloon ban, and she would ask City Manager Royle to add this presentation.

Discussion ensued regarding helium balloon ban; that there is a State ban for 10 or more per person; that the City event permit already asks for agreement not to release balloons; that the City might be willing to support the ban; that SEPAC's meeting is on September 8<sup>th</sup> and that the presentation would be for September 13<sup>th</sup> Commission meeting.

Deputy City Clerk Fitzgerald advised that the Commission books will already be printed by SEPAC's September 8<sup>th</sup> meeting and that the presentation would not be able to be copied in their agenda books, but it could still be given in person.

Member Thomson asked if Member Kaczmarsky's article could be given to the Commission now so that they have the background information. Deputy City Clerk Fitzgerald said yes. Member Thomson said that the agenda book is also available online. Member Kaczmarsky said that Vice Mayor Samora replied that they were great ideas.

Deputy City Clerk Fitzgerald asked to have the latest copy of the article sent to her to ensure that she has the most updated version. She said that it could also be the copy that is used for the Commission agenda books. Member Kaczmarsky said that he would review it again and that he would send it to Deputy City Clerk Fitzgerald.

Chair Krempasky asked if the article was going to be split into several Newsletter topics. Member Kaczmarsky said that he could split it and keep the links in. Chair

Krempasky said that she signed to receive the Newsletter today and that the August Newsletter was not posted yet.

Discussion ensued regarding the current Newsletter on the City's website; that subscribers are emailed the Newsletters; that the subscription acknowledgement showed Cindy Walker's email address; to contact Coordinator Conlon.

#### 4. Educational Programs

##### a. Newsletter Topics

**This topic was briefly discussed at the end of Item 3.d.**

##### b. Climate Change Survey

Vice Chair Bandy asked to discuss the film series. She advised that the library is doing in-person events again. She asked if the City has a policy for restarting events. Deputy City Clerk Fitzgerald advised that the City has scaled down its outdoor events and has not reopened the City Hall meetings rooms to the public.

Member Candler asked if anyone went to the Amphitheater Film Series. Member Thomson said that he believes it is held outdoors. Ms. Trice said that she attended the Amphitheatre event and that it was outdoors but was moved indoors because of rain. She said that they had a turnout of approximately 60 people with masks encouraged but not mandatory.

Discussion ensued regarding the upcoming film series; what the name of the next film will be.

#### 5. Development of a Committee Strategic Plan

**This topic was not discussed.**

Chair Krempasky moved on to Item 6 and asked for any updates.

#### 6. Environmental Policy & Planning Recommendations

##### a. Sea Level Rise and Adaptation Plans

**This topic was not discussed.**

##### b. Climate Change Initiatives

Member Thomson asked if the City is doing anything about climate change initiatives. He said that a lot of cities are taking the lead trying to reduce carbon footprints. He said that he would draft something to present to City Manager Royle and Mayor England asking the City to consider using clean energy. Chair Krempasky asked if the City was currently doing anything regarding climate change initiative. Deputy City Clerk Fitzgerald advised that there is nothing that she is aware of but that it might be a Public Works initiative such as with their vehicles. Member Kaczmarasky asked about the efficiency of the lights at City Hall. Deputy City Clerk Fitzgerald advised that changing to LED lighting is in the works and that the Building Department switched to motion lights that turn off during inactivity to save electricity.



Discussion ensued regarding ways that SEPAC could help; that SEPAC could create a shopping list of suggested items to improve efficiency; that the City Hall parking lot was recently repaved with a dark instead of a light material; doing research to create a shopping list; that FPL is offering clean energy; etc.

Chair Krempasky said that several months ago she was supposed to appear before the Comprehensive Planning and Zoning Board (CPZB) to discuss the construction of a perimeter around trees. She advised that Building Official Law said that by having that large of a perimeter could possibly cause more problems than preventing problems. She said that she would be making another presentation and she asked the Members to think of ideas for the next presentation. Member Kaczmarek said that he has some literature, and he described the information that he found, such as tree species and root systems.

Member Thomson said that SEPAC is supposed to recommend positive incentives to protect trees. He also said that he spoke to Mr. Marcus and that he would be available on a consulting basis to help develop a code.

Discussion ensued regarding preparing ordinance revisions; bypassing the restriction of the site development; no representation of the Building Department or Public Works; that there is no support; etc.

Member Thomson said that the flexible and/or reduced setbacks could have been made conditional with specific ways to control runoff and preserve trees. He said that the City does not have a planner.

Chair Krempasky asked if Code Enforcement Officer Jennifer Thompson was supposed to become a planner. Deputy City Clerk Fitzgerald advised that there is a reorganization that would split the Building and Planning Departments and that she was not sure what the long-term goals are. Member Thomson said that Director Tredik is currently doing the site plan reviews.

Discussion ensued regarding consideration of a daytime meeting with Director Tredik; going back to the CPZB; the need for a certain amount of understanding from staff; etc.

Chair Krempasky advised that she would send Director Tredik an email at the end of the week to suggest a workshop meeting.

**c. Right-of-Way Ordinance**

Member Thomson asked if there has been a response from Director Tredik regarding the right-of-way ordinance. Chair Krempasky advised that she sent an email to both Director Tredik and Building Official Law and that Director Tredik is on vacation and Building Official Law replied that he is not working on the ordinance. Member Thomson asked if the email was copied to the Mayor and the City Manager. Chair Krempasky advised that she did not believe that she sent it to the Mayor.

Member Thomson suggested that SEPAC make a formal recommendation to create a swale system in the rights-of-way as a requirement for development and to discuss it with Director Tredik. He said that it has been a month with no discussion, and he

asked if SEPAC could recommend that the St. Johns County's requirements be adopted by the Building Department as a permitting requirement. He said that it is a critical item, and he would be willing to take it to the Comprehensive Planning and Zoning Board. Chair Krempasky said that she would like to give Director Tredik a chance to respond. Member Thomson asked if there is a copy of the email and what it said. Chair Krempasky said that the email said that SEPAC is asking to consider Section 6.04.04 for incorporation into the right-of-way ordinance. Member Thomson said that this topic has been on SEPAC's agenda for a year, and this would promote a more sustainable right-of-way swale system. Chair Krempasky asked Foreman Large when Director Tredik would return from vacation. Foreman Large said that he believed that Director Tredik would be back on Monday. Member Thomson said that this goes hand-in-hand with what SEPAC is trying to do and that staff needs to support it. He said that he discussed green infrastructure with City Manager Royle and there is a need to follow up. Chair Krempasky said that she agreed with Member Kaczmarsky's use of an overlay plan of the vulnerable areas with the Forestry Plan to help solve the issues. Member Thomson said that he did not think that hot spots or storm surge is the same as catching excessive rainwater and dumping it in the intercoastal and that the right-of-way ordinance is a separate issue to retain runoff.

#### 7. Sustainable Stormwater Management Research

**This topic was not discussed.**

#### VI. OTHER COMMITTEE MATTERS

Chair Krempasky asked Ms. Trice if there was a specific reason that she wanted to attend the SEPAC meeting. Ms. Trice said that she noticed that the intentional releasing of helium balloon was on the agenda for discussion and that it is a project that she supports.

Member Kaczmarsky asked Ms. Trice about green infrastructure efforts that the Matanzas River Keeper is doing. Ms. Trice advised that she has only been with the Matanzas River Keeper for about a month and that she was not familiar with all their projects yet. Member Kaczmarsky invited Ms. Trice to attend more SEPAC meetings. Ms. Trice said that the bioswale project was very interesting. Member Thomson said that the Environmental Protection Agency (EPA) has standards of releasing stormwater to the Matanzas River. Ms. Trice said that she would discuss it with the Matanzas River Keeper tomorrow. Member Kaczmarsky asked if SEPAC could partner with the Matanzas River Keeper. Ms. Trice said that there are common goals and that is why she was here. Chair Krempasky thanked Ms. Trice for attending.

Discussion ensued regarding the Matanzas River Keeper; that the Matanzas River territory goes into Flagler County; has Ms. Trice attended other City meetings.

Vice Chair Bandy asked to discuss the development plans of the Ocean Hammock Park. She asked if SEPAC would have anything to discuss at the Commission meeting next week. Chair Krempasky advised that SEPAC already made a recommendation with a motion. Vice Chair Bandy asked if SEPAC should attend the meeting. Chair Krempasky said that she would probably attend, and that the community has already made their concerns very clear to the Commission. She advised that changes have been made to the plans since SEPAC last saw them.

Discussion ensued regarding whether Ocean Hammock Park would be discussed at the August 11, 2021, Commission meeting; that Ocean Hammock Park would be discussed under agenda Item 7; that Mayor England is making a presentation to the Commission asking for a motion and vote to ask St. Johns County to add Pope Road parking to their five-year plan; that Mr. Rubin Franklin, the City of St. Augustine Public Works Director, will be giving a presentation for their mobility plan which may include parking; that a resident will be giving a 10 minute presentation about parking.

Vice Chair Bandy asked if SEPAC received the PowerPoint presentation. Member Candler said that the email that she received specified that it was attached but it was not. Chair Krempasky advised that it was on the link to the website. Deputy City Clerk Fitzgerald said that she thought that she sent it and that it is up on the front page of the City's website.

Vice Chair Bandy said that she does not remember discussing it, but that the notes specify that the Ocean Hammock Park plans were made less intense, and she is wondering what the prior plans entailed. She said that the citizens seem to be against any further development of Ocean Hammock Park and that SEPAC should reiterate the same. Member Thomson said that the biodiversity and wildlife issues are being ignored.

Discussion ensued regarding SEPAC making comments about the development of Ocean Hammock Park; that the improvements were contingent for getting the grant money; having the flexibility to scale down the plans; the importance of preservation vs. a playground; to attend the Commission meeting as individual citizens; that Ocean Hammock Park is the last beachfront natural property left.

Chair Krempasky said that she read the original management plan and that it discussed not having any feral animals in the park because of poisonous snakes and that it does not make sense to put a playscape there. Member Kaczmarzsky said that the City should consider doing the minimal development allowable to keep the grant money. Member Thomson said that Ron Parker Park has a playground and then there is the beach.

Chair Krempasky asked if there were any other comments.

Foreman Large advised that he did not have anything further.

Chair Krempasky advised that the original Ocean Hammock Park plan designates what trees would be planted and that it was interesting. Member Thomson said that it is a reforestation effort and that a biosphere would want the trees in a natural environment.

Deputy City Clerk advised that she had no further comments.

Vice Chair Bandy asked if SEPAC's motion had been forwarded. Deputy City Clerk Fitzgerald advised that she forwarded it to City Manager Royle. Chair Krempasky encouraged SEPAC to attend the August 11, 2021, Commission meeting. Member Thomson asked for a confirmation that the motion is in the Commission books. Deputy City Clerk Fitzgerald advised that the SEPAC meeting minutes are part of the monthly reports in the back of the agenda books. Member Thomson said that a specific recommendation from SEPAC should be put in that section of the agenda books for when the Commission is considering that specific item. Deputy City Clerk Fitzgerald advised that City Manager Royle forwards the SEPAC recommendations to the Commission. Member Kaczmarzsky said that Chair Krempasky could email the Commission to remind them that a motion was passed by the Committee on a topic of discussion.

SEPAC thanked Ms. Trice for attending the meeting.

Chair Krempasky moved on to Item VII and asked for a motion to adjourn the meeting.

VII. ADJOURNMENT.

**Motion:** to Adjourn. **Moved by** Member Thomson. **Seconded by** Vice Chair Bandy. Motion passes unanimously.

Chair Krempasky adjourned the meeting at 7:32 p.m.

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Sandra Krempasky, Chair

ATTEST

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Max Royle, City Manager

## **COMMISSION REPORT**

**August 2021**

**TO:** MAYOR/COMMISSIONERS

**FROM:** DANIEL P. CARSWELL, CHIEF OF POLICE

### **DEPARTMENT STATISTICS July 26, 2021 – August 24, 2021**

**CALLS FOR SERVICE - 1177**

**OFFENSE REPORTS - 62**

**CITATIONS ISSUED - 65**

**LOCAL ORDINANCE CITATIONS - 44**

**DUI - 4**

**TRAFFIC WARNINGS - 131**

**TRESSPASS WARNINGS - 26**

**ANIMAL COMPLAINTS - 15**

**ARRESTS - 9**

- **ANIMAL CONTROL:**
  - St. Johns County Animal Control handled 15 complaints in St. Augustine Beach area.

### **MONTHLY ACTIVITIES –**

**August 11: COA Lawn Mowing**

## MEMORANDUM

Date: September 1, 2021  
To: Max Royle, City Manager  
From: Bill Tredik, P.E., Public Works Director  
Subject: August 2021 - Public Works Monthly Report

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### **Funding Opportunities**

Public Works is managing the following active grants:

- **Mizell Pond Weir and Stormwater Pump Station - Construction**  
Districtwide Cost Share – St. Johns River Water Management District  
Grant amount \$632,070; FEMA HMGP money as match  
Status – Construction is underway and will be complete in July 2022.
- **Mizell Pond Weir and Stormwater Pump Station - Construction**  
HMGP grant – FEMA/FDEM  
Grant amount \$2.58 Million; SJRWMD Districtwide Cost Share as match  
Status – Construction is underway and will be complete in July 2022.
- **Ocean Hammock Park Phase 2 - Construction**  
Florida Recreation Development Assistance Program  
Grant amount - \$106,500; \$35,500 match required  
Status – The Grant Agreement has been executed. SJRWMD permit received  
Bidding underway.
- **Ocean Hammock Park Phase 3 - Design & Permitting**  
Coastal Partnership Initiative Grant – NOAA funded  
Grant amount \$25,000; \$25,000 match required  
Status – The Grant Agreement has been executed. Design 60% complete.
- **Ocean Walk Drainage Improvements**  
Legislative Appropriation Request  
Appropriation Request Amount - \$694,000  
Status – Project approved. Awaiting grant agreement from FDEP.

Additionally, Public Works has applied for the following grants:

- **Ocean Hammock Park Phase 3 – Construction**  
Coastal Partnership Initiative Grant – NOAA funded  
Grant amount \$60,000; \$60,000 match required  
Status – Grant Applied for on 9/24/2020. Approved by FDEP. Contract execution after completion of design and permitting.
- **Hazard Mitigation Grant Program - Dorian**  
HMGP grant - FEMA/FDEM  
Projects Applied for: CRA1A Storm Surge Protection \$550,000  
Status – Pending FDEM Review
- **City of St. Augustine Beach Adaptation/Resilience Plan**  
Resilient Florida Grant Program - FDEP  
Grant amount requested \$150,000; no match required  
Status – Proposal submitted to FDEP; awaiting FDEP RAI

### **Maintenance Activities**

**Rights-of-way and Parkettes** – Public Works continues to provide essential maintenance services on rights-of-way and parkettes. Restrooms on 10<sup>th</sup> St. and A St. are open all day and are regularly cleaned and disinfected.

**Fleet** – The Public Works Department continues to do minor fleet maintenance on our larger trucks, heavy equipment and regular work trucks, to reduce outside repair costs. Major repairs, however, are not done in-house due to the need for specialized equipment and expertise. The frequency and cost of major vehicle repairs has increased in the current fiscal year due to the aging of the Public Works fleet.

**Lakeside Park** – Statue bases have been repainted in lakeside park. The steel sculpture of a phoenix “sonorous” has been temporarily removed for reconditioning. It will be restored to its place in the park upon completion of reconditioning.

### **Drainage Improvements**

**Mizell Pond Outfall Improvements (HMGP Project No. 4283-88-R) [CONSTRUCTION]** – The project includes repairing and improving the damaged weir, replacing stormwater pumps and improving the downstream conveyance. FEMA will reimburse of 75% of the total construction cost, with \$632,070 to be paid by the St. Johns River Water Management District (SJRWMD) FY2021 districtwide cost-share program. Items completed in August 2021 include:

- Clearing and Grubbing and removal of vegetation along downstream drainage ditch for installation of bulkhead (within Marsh Creek)
- Dewatering and construction of coffer dam for weir replacement

- Survey/Stakeout of improvements
- Demolition of damaged weir

Construction remains on schedule and is anticipated to be complete in July 2022.

### **Ocean Walk Drainage Improvements [PRELIMINARY DESIGN] –**

Public Works has installed a pump-out structure at Mickler Boulevard as well as a backflow prevention device to prevent water in the Mickler Boulevard drainage system from backing up into the Ocean Walk neighborhood. Preliminary design is underway by Matthews Design Group. Items complete to date include:

- Survey and Data Collection
- Preliminary analysis

Completion of preliminary design is anticipated in October 2021. Staff submitted to FDEP documents for a revenue agreement for the final design and construction of the project. Design and permitting and commencement of construction are anticipated in FY 2022.

**Oceanside Circle Drainage [DESIGN/PERMITTING]** – A public meeting will be held in November 2021 after which submittal to SJRWMD will be made. Roadway paving and drainage improvements are scheduled to commence construction in the second quarter of FY 2022. Public Works has installed a temporary pump out structure and stands ready to mobilize pumps to provide flood protection until the ultimate drainage design is complete.

**11<sup>th</sup> Street Pipe Repair [DESIGN/PERMITTING]** – Design and permitting is underway. A preapplication meeting was held with SJRWMD. Some additional environmental fieldwork is underway to determine options regarding the small dry retention area and the ditch between 10<sup>th</sup> Street and 11<sup>th</sup> Street. An update on the design will be provided in November, followed by SJRWMD permit submittal. Construction is anticipated to commence in the 2<sup>nd</sup> quarter of FY 2022.

### **Parks and Recreation Improvements**

**Ocean Hammock Park Phase 2 [BIDDING]** –Public Works has completed design and received a SJRWMD permit for Phase 2 improvements to Ocean Hammock Park. The Phase 2 improvements include handicap accessible restrooms (including a sanitary lift station and force main), an outside shower, water/bottle fountain, an additional handicap parking space in the parking lot, two (2) picnic areas near the parking lot, an informational kiosk, and a nature trail with interpretative signage. Construction is funded by park impact fees and a \$106,500 grant from the Florida Recreation Development Assistance Program (FRDAP). Project is in the bidding phase.

**Ocean Hammock Park Phase 3 [DESIGN/PERMITTING]** – Design is approximately 60% complete. Phase 3 includes improvements to the interior of the park including, a picnic



pavilion, observation deck, education center, additional trails with interpretative signage, bike and kayak storage, and an accessible connection to the parking lot and the beach walkway. Design is funded by a park impact fees and a \$25,000 grant from the Coastal Partnership Initiative. Construction of portions of Phase 3 is anticipated in Early FY2022. Items completed to date include:

- 60% Design Plans
- Public Meeting
- Plan revisions from public feedback
- SJRWMD preapplication meeting

**Lakeside Park Dock Repair [DESIGN]** – A Request for Proposals to construct repairs to the Lakeside Park dock was advertised on Demandstar. High lumber prices in the summer of 2021 led to a project delay due to costs exceeding available budget. Public Works is currently planning to make necessary repairs utilizing City staff in the upcoming winter.

### **Streets / Rights of Way**

**2<sup>nd</sup> Street Improvements and Extension [DESIGN]** – Design is underway and a preapplication meeting has been held with SJRWMD. SJRWMD application is pending and a public meeting is planned for October 4, 2021 to present the proposed plans. Advertisement for bids will occur Fall 2021 with construction planned to commence in early 2022.

**Roadway Resurfacing [CONSTRUCTION]** – Roadway resurfacing for FY21 is complete. Roads repaved in FY2021 included:

- Tides End Drive
- Mickler Boulevard between Pope Road and 16<sup>th</sup> Street
- Mickler Boulevard from A Street to 11<sup>th</sup> Street

Paving of Mickler Boulevard between 11<sup>th</sup> Street and 16<sup>th</sup> Street has been delayed due to a failing sanitary sewer line, just south of 16<sup>th</sup> Street, which is causing roadway subsidence. This stretch of roadway will be resurfaced in early after the line is repaired and the roadway base is repaired by St. Johns County Utilities. A list of planned paving for FY2022 is being finalized upon evaluation of roadway conditions.

### **Street Lighting**

FPL is currently designing the Phase 1 LED conversion (arterial and collector roadways). Construction is anticipated to commence in Fall 2021.

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## M E M O R A N D U M

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**TO:** MAX ROYLE, CITY MANAGER  
**FROM:** PATTY DOUYLLIEZ, FINANCE DIRECTOR  
**SUBJECT:** MONTHLY REPORT  
**DATE:** 8/17/2021

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### **Finance**

As of the end of July, expenditures for the city are at 72.4%, with 83.33% of the year complete. All non-essential spending has been suspended through the end of the year and needed expenditures are being approved as needed.

The budget is being finalized for presentation to the Commission on September 13<sup>th</sup> @ 5:01pm. As of today, I am still waiting on final revenue estimates from the State of Florida. Preliminary numbers are added as placeholders until estimates are provided by the State.

The latest information received regarding the American Rescue Plan Act is that the State has requested an additional 30 days for contract preparation ahead of distributing the funds.

### **Communications and Events**

Melinda continues to focus on making changes to our events/communications page so we can better communicate with the residents as well as working on our year-end fireworks show.

**Technology:** The IT Staff has no updates.

## **PENDING ACTIVITIES AND PROJECTS**

Revised September 2, 2021

1. **PERFORMANCE REVIEW OF POLICE CHIEF AND THE CITY MANAGER.** The reviews were discussed by the Commission at its January 14, 2020, continuation meeting. The Commission directed that it be reminded in October 2020 to begin the reviews for the calendar year, with the reviews to be discussed at the Commission's December 7, 2020, meeting. Information for review of the City Manager was provided to the Commission in October. As Chief Hardwick had been elected Sheriff of St. Johns County, the Commission did not do his review as he had left his position as Police Chief. At their December 7, 2020, meeting, the Commission by consensus decided that each Commissioner would meet with the City Manager to discuss his evaluation.
2. **LAND DEVELOPMENT REGULATIONS CHANGES.** There are three changes. The first concerns drug/alcohol rehab and medical facilities. The Commission discussed this topic at its May 3<sup>rd</sup> meeting. In response to that discussion, the City Attorney prepared an ordinance for to amend Section 3.02.03 of the Regulations. The amendment stated that businesses required to be regulated by Chapter 397, Florida Statutes, Substance Abuse Services, are prohibited in the City. The Commission reviewed the ordinance at its June 7<sup>th</sup> meeting and passed it on first reading. The ordinance had its first public hearing and second reading at the Commission's July 6<sup>th</sup> meeting. It had a second public hearing at the Commission's August 11<sup>th</sup> meeting, when it was passed on final reading. This topic will no longer be included in this report.

A second change is to have the first public hearing for amendments to the Land Development Regulations and Comprehensive Plan held by the Planning Board. The ordinance for this change was approved on first reading at the Commission's July 6<sup>th</sup> meeting. The ordinance's first public hearing was held at the Commission's August 11<sup>th</sup> meeting, when the ordinance was passed on second reading. A second public hearing and final reading is scheduled for the Commission's September 13<sup>th</sup> meeting.

A third change is to allow the Planning Board to approve certain conditional use permits. The ordinance was passed on first reading at the Commission's August 11<sup>th</sup> meeting. The Planning Board reviewed it on August 17<sup>th</sup> and recommended that it be approved. The ordinance will have its first public hearing and second reading at the Commission's September 13<sup>th</sup> meeting.

3. **UPDATING STRATEGIC PLAN.** As its January 7, 2019, meeting, the City Commission decided to do the update itself with the City staff. At later meetings in 2019, the Planning Board and the Sustainability and Environmental Planning Advisory Committee provided suggestions for the plan. The Commission agreed with the City Manager's suggestions for items in the plan and asked him to include in it parking infrastructure. The City Manager has prepared a Mission Statement, a Vision Statement, a Values Statement and a list of goals and the tasks each. The Commission reviewed the plan and provided comments at its January 14, 2020, continuation meeting. The topic was on the agenda for the Commission's February 1<sup>st</sup> meeting, but because of time, the Commission scheduled discussion of it to the continuation meeting on February 8<sup>th</sup>. At that meeting, the Commission provided some

suggestions for changes and Commissioner George will work with the City Manager on changes to the wording for the plan's Vision Statement.

At its April 5<sup>th</sup> meeting, the Commission reviewed the City administration's recommendation concerning the implementation of the plan's first goal, Transparent Communication with Residents and Property Owners, and discussed how to better communicate with residents and businesses, such as a text message system. One improvement will be having money in the Fiscal Year 2022 budget to purchase an electronic sign to replace the old-fashioned meeting announcement sign that is adjacent to SR-A1A on the west side of city hall. However, because of budget constraints, the electronic sign was deleted from the Fiscal Year 2022 budget.

4. **PARKING PLAN.** The City Commission has changed the focus of the parking plan from paid parking to improvements for parking on City-owned plazas and streets. The staff will draft a five-year plan and the Police Department is to determine the most effective parking regulations for the streets west of A1A Beach Boulevard. Proposed locations for parking improvements were provided to the Commission at its May 3, 2021, meeting. However, because that meeting ran late, the topic was postponed for discussion at the Commission's May 24<sup>th</sup> continuation meeting. As that meeting, the Commission by consensus asked that City staff present a list of parking projects to the Planning Board for it to prioritize. The Board discussed this request at its June 15<sup>th</sup> meeting and decided that each Board member will provide their list of parking projects. As only the Chairman submitted a list and as there were only four Board members present for the Board's July 20<sup>th</sup> meeting, the topic of parking improvements was tabled to the Board's August 17<sup>th</sup> meeting. It recommended the following: a. that the Commission continue to explore opportunities for increased and improve parking; b. that the City not use any currently landscape plazas for parking; c. that the City work with the County to develop a parking area along the north side of Pope Road; and that the City make a priority improving the parkette on the west side of A1A Beach Boulevard between A and 1<sup>st</sup> Streets. The Commission will discuss these recommendations at its September 13<sup>th</sup> meeting.
5. **JOINT MEETINGS:**
  - a. With the County Commission. No date has yet been proposed by either Commission for a joint meeting.
  - b. With the Comprehensive Planning and Zoning Board and the Sustainability and Environmental Planning Advisory Committee (SEPAC). The Commission held the workshop with these two boards on May 18<sup>th</sup>. Matters discussed included Ordinance 21-04, to change the building setbacks for small-platted lots and to abolish the overlay district; and communications/relations between the Commission and the two boards. Two outcomes of the discussion were the possibility of giving the Planning Board the authority to approve certain conditional use permits, and that SEPAC should submit its proposed Land Development Regulation changes to the Planning Board, which will then decide whether to recommend the changes to the Commission. To date, SEPAC hasn't submitted any proposed changes to the Planning Board.
6. **UPDATING PERSONNEL MANUAL.** During 2021, the City Commission amended the Manual several times. The Commission adopted the latest changes at its June 7, 2021, meeting: to make minor

changes regarding shift work for the Police Department; to make minor modifications to the Standards of Conduct and Discipline; to delete the regulation concerning employees making long-distance telephone calls on a City phone; to delete sick leave incentive pay and add an employee's birthday as a personal holiday; and to change the criteria of employees who can denote their sick leave to another employee and who can be a recipient of the donation.

The entire Manual will be redrafted to correct spelling and remove redundant and/or obsolete provisions.

7. LED STREETLIGHTS. FPL has put eight new lights along State Road A1A. For 10 new lights along A1A Beach Boulevard, an agreement has been signed with FPL. Also, the Public Works Director presented a plan to the City Commission at its May 3<sup>rd</sup> meeting for FPL to convert to LED streetlights the lights on arterial and collector roads in the City. However, because that meeting ran late, approval of the plan was postponed to the May 24<sup>th</sup> continuation meeting. Also, at the meeting, the Commission authorized replacing the existing high pressure sodium streetlights along the Boulevard with LED lights but with lower illumination power. The City has signed a contract with FPL. New lights will be installed before the end of the year.
8. GRANTS. The Public Works Director has prepared applications for grants from the following agencies:
  - a. Florida Recreation Development Assistance Program, \$106,500, for restrooms at Ocean Hammock Park. City match would be \$35,500. Total project cost: \$142,000. The Governor approved the appropriation and the contract with the Florida Department of Environmental Protection has been signed. The restrooms have been designed by a local architect and the Public Works Department has done the site design. The St. Johns River Water Management District has approved the permit. The City will advertise for bids. Construction will be started in the fall of 2021.
  - b. Coastal Partnership Initiative: \$25,000, to fund planning for other improvements to Ocean Hammock Park: picnic pavilion, observation platform, playscape for children, more trails. City match would be \$25,000. Total project cost: \$50,000. Though it is federal money, the grant is provided through the state, which has approved it, and the grant agreement has been executed. Contract with a parks design firm has been signed. The survey has been completed, plans are 60% complete and the City will submit an application for a permit from the St. Johns River Water Management District is pending.

The Public Works Director has applied for another Partnership grant for \$60,000 for additional improvements to Ocean Hammock Park. The application was submitted on September 25, 2020. The state has approved the grant. The grant agreement will be executed upon completion of design and permitting.

- c. Florida Resilient Coastlines Program to do a Vulnerability Assessment and Adaptability Plan. Total amount requested \$72,500. No match required. This will involve updating the City's stormwater model, identifying vulnerabilities, and recommending options for inclusion in a future Public Works Capital Improvements Plan. The Governor approved funding, a civil engineer has been hired and work on the study has started. A public meeting to explain the plan, obtain feedback

and discuss coastal resiliency occurred on February 24, 2021. The final report was presented at the City Commission's May 3<sup>rd</sup> meeting. The report has been accepted by the state and the City has received reimbursement for the costs. This topic will no longer be included in this Report.

However, the City is applying for an adaption/resilience plan grant to further develop projects that were recommended in the vulnerability study, such protecting the east end of Pope Road and the pier park from storm surge. Grant may provide \$150,000. It doesn't require a match from the City.

- d. St. Johns River Water Management District Cost Share Program: Grant applied for in February to provide funds for the new weir at the City's Mizell Road retention pond. The amount requested was \$600,000. The District appropriated the money in its Fiscal Year 2021 budget and the contract has been executed. The City advertised for bids and the bid was awarded scheduled to Sawcross, Inc., which has started construction. Project is 15% complete.
9. NON-CONFORMING BUSINESS SIGNS. The City's sign code has a height limit of 12 feet for business signs. A number of businesses have signs that exceed that height. According to the code, these signs must be made conforming by August 2023. The Building Official and his staff will notify the businesses of this requirement and will work with them to bring these signs into conformity.
10. CHARGING STATION FOR ELECTRIC VEHICLES. The Public Works Director is working with the staff of the North Florida Regional Transportation Organization to have a charging station for the public at city hall. The Public Works Director met with the company that builds the stations to determine the location for the station, which will be two charging stations next to Building C on the west side of the south city hall parking lot. In early December, the charging station was constructed. The company has provided a proposed contract, which the City Attorney has reviewed and approved. The City Manager signed the contract on August 25<sup>th</sup> and it was sent to the company for signing.
11. FLOODING COMPLAINTS. Citizens have expressed concerns about the following areas:
  - a. Ocean Walk Subdivision. The subdivision is located on the east side of Mickler Boulevard between Pope Road and 16<sup>th</sup> Street. Earlier in 2020, the ditch that borders the subdivision's west side was piped. Ocean Walk residents have complained that the piping of the ditch has caused flooding along the subdivision's west side. The Public Works Director had the Mickler, and 11<sup>th</sup> Street ditches clear of debris, so as to improve the flow of water, and proposed that the subdivision be surveyed and the City's civil engineering consultant, CMT, review the project. At the Commission's September 14, 2020, meeting, the City's civil engineering consultant, Mr. Gary Sneddon of CMT, described project and its technical basis for piping the Mickler Boulevard ditch. At its October 5<sup>th</sup> meeting, the City Commission didn't approve an amendment to the contract with CMT for an investigation and flood control improvements for the Ocean Walk subdivision and asked the Public Works Director to prepare a Request for Qualifications, so that the Commission could consider an engineering firm to review the Ocean Walk drainage issues. The deadline for responses to the RFQ was November 23, 2020. The Public Works Director prepared an addendum, which was advertised before Thanksgiving. The deadline for the RFQ is December 8, 2020. A committee of City employees reviewed the three proposals that were submitted and

recommended the City be authorized to negotiate with the Masters Design Group of St. Augustine. The Commission approved the authorization at its January 4, 2021, meeting. At its March 1<sup>st</sup> meeting, the Commission approved the contract with Matthews. In March, the City was notified that its request to the Florida Legislature to appropriate \$694,000 for Ocean Walk drainage improvements was approved and in late May the City was notified that the appropriation had survived the Governor's veto. The Public Works Director is preparing information the execution of the grant agreement.

- b. Oceanside Drive. This street is located in the Overby-Gargan unrecorded subdivision, which is north of Versaggi Drive. A survey has been done to determine the road's right-of-way and the design of a new road is underway by the City's civil engineering consultant. The Commission will review a proposed plan for improvements at its October 4<sup>th</sup> meeting.
  - c. St. Augustine Beach and Tennis Complex and Private Pond between Ocean Trace Road and the Sabor de Sal Subdivision. The private retention pond for the Beach and Tennis condo complex is too small and floods during periods of heavy rainfall. The flooding threatens the condo units that border the pond. The Sabor de Sal subdivision had a pond that is owned by the adjacent property owners. It also floods and threatens private property. The area needs a master plan that will involve the City, private property owners and the Florida Department of Transportation. The Public Works Director plans a town hall meeting the affected parties, to discuss a possible private/public partnership. A preliminary step will be the hiring of a consulting engineer to do an assessment and develop project alternatives.
  - d. A resident of 6<sup>th</sup> Street east of the Boulevard has complained about flooding on adjacent streets. The Public Works Director is investigating the causes.
  - e. A Street east of the Boulevard. Vice Mayor Samora spoke of this ongoing problem at the Commission's February 8<sup>th</sup> meeting. On February 26, 2021, Commissioner Samora, the Public Works Director, the City Manager, the County's Interim Public Works Director and interested citizens met on A Street at the location of the flooding problem. The Vice Mayor met with County and City staff members at A Street on July 9, 2021, to review the plan for improvements. An underground drain will be constructed along the north side of A Street along with a sidewalk. The project will be done in the fall, after the summer tourist season.
  - f. Pipes under Pope Road and A1A Beach Boulevard. Application for 550,000, 75% of which will come from the Hazard Mitigation Grant Program.
12. STORMWATER UTILITY FEE. For a funding source to pay for improvements to the City's drainage system, the Public Works Director proposed a stormwater utility fee at the City Commission's October 5<sup>th</sup> meeting. The Commission decided not to levy the fee at that time. On June 17, 2021, the Commission had a workshop meeting and reviewed the Public Works Director's list of drainage needs and projects, the proposal to have a stormwater fee that each property owner would pay and the need to hire a consultant with expertise in developing a stormwater fee. The staff will ask the Commission to resume its discussion of a proposed fee at its October 4<sup>th</sup> meeting.

13. **SOLID WASTE COLLECTION AND RECYCLING.** The current contract for a private company to pick up recyclables in the City expires in May 2022. At its May 3, 2021, meeting, the City Commission decided to hold a workshop meeting on Monday, May 24<sup>th</sup>, to discuss recycling. That outcome of the workshop was direction to the staff for the City to seek Requests for Proposals from solid waste companies and for the City staff to develop a proposal for the City to provide recycling pickup service with its own crews and trucks. Also, on June 17, 2021, the Commission held a workshop meeting to increase the non-ad valorem assessment that residential property owners pay for the solid waste service. The Commission decided to put a fee of \$211 per household in the Fiscal Year 2022 budget, but at its August 13<sup>th</sup> meeting raised the fee to \$315. The new fee was sent to the Tax Collector. The fee will be each property owner's tax bill. Also, the Commission increased the City's monthly fees to collect solid waste from businesses: \$6.25 for a 64-gallon cart and \$9.30 for a 96-gallon cart.
14. **REFURBISHING AND HIGHLIGHTING CITY'S CIVIL RIGHTS MONUMENT.** The monument is located on the south side of pier park and adjacent to the bocce courts. It commemorates the attempt by black citizens to integrate the "whites only beach" in front of the former city hall in the summer of 1964. The monument was erected by July 2002 and paid for by the Northrup Grumman Corporation. At its September 22, 2020, meeting, the City Commission asked the City Manager to work on a vision for the monument, to take pictures of it for the City's website and social media, to have a picture of it put in the city hall corridor, and to seek funding to repair the monument, which has a metal base that's been corroded. At the Commission's May 3, 2021, meeting, Commissioner George reported she is having ongoing discussion with the St. Johns County Cultural Council and that she will bring proposals and timelines to the Commission in June.
15. **BEACH RESTORATION.** St. Johns County is the local sponsor of beach restoration in the City, as money from the bed tax is used to pay the County's share of the cost for each restoration project. According to the County's Coastal Manager, the next renourishment of the City's beach is scheduled to be done in 2023. In the meantime, the County is discussing whether a renourishment project may need to be done sooner because of severe erosion of the beach in the vicinity of the County fishing pier.
16. **QUARTERLY REPORTS ON PROGRESS OF PROJECTS.** At its September 22<sup>nd</sup> budget meeting, the City Commission asked the City Manager to provide at the end of each quarter in the Fiscal year a report on the progress of projects and expenditures for them. The Finance Director prepared a spreadsheet, and the first quarter's report was provided to the Commission in January 2021. The report for the second quarter (January through March) was forwarded to the City Commission in April. The next report was submitted to the Commission in July.
17. **REPAIR OF POPE ROAD.** At the City Commission's February 1<sup>st</sup> meeting, a resident complained about the poor condition of Pope Road. As the street is owned by the County, the City Manager sent a request to the County Administrator, Hunter Conrad, that the road be put on a schedule for repair. In a February 5<sup>th</sup> email, Mr. Hunter replied that he had forwarded the City's request to the County's Interim Public Works Director, Mr. Greg Caldwell. The City Manager also requested that the County work with the Florida Department of Transportation on improvements to the intersection of State Road A1A and 16<sup>th</sup> Street, as 16<sup>th</sup> Street is owned by the County. Mr. Caldwell replied that the repair of Pope Road is on the County's list of projects to do.



18. NEW YEAR'S EVE FIREWORKS SHOW. Because of the pandemic, the show for December 31, 2020, was cancelled. At its February 1<sup>st</sup> meeting, the Commission discussed whether to have it on December 31, 2021. The consensus was for the City staff to work on plans for a smaller, scaled down event. At its April 5<sup>th</sup> meeting, the Commission approved the proposal of Ms. Conlon, the Events Coordinator, to have a New Year's Eve event that will benefit local businesses. Ms. Conlon provided an update report to the City Commission at its August 11, 2021, regular meeting. The next update report will be provided at the Commission's November 1<sup>st</sup> meeting.
19. PROPOSAL TO DEED THREE LOTS FOR CONSERVATION. The lots are located along the north side of the unbuilt part of 2<sup>nd</sup> Street, west of 2<sup>nd</sup> Avenue. The two owners want to deed the lots for conservation. In February, the Board of Putnam Land Conservancy informed the City Manager that it has agreed to the owners' proposal to establish a conservation easement on the lots. In early August, one of the owners informed the City Manager that a conservation easement agreement with the Trust had been prepared. However, as of the end of August, the Manager hadn't received the agreement. Any final agreement to do so will require review by the City Attorney and approval by the City Commission.
20. INTERGOVERNMENTAL PROJECTS. When the Commission discussed the strategic plan at its February 1<sup>st</sup> meeting, more involvement with the County and St. Augustine was mentioned as desirable. Below is a summary of the City's current involvement with various area governmental entities.
  - a. Resiliency: On March 22<sup>nd</sup>, the Public Works Director and the City Manager met with staff persons from the County and St. Augustine, to discuss what each government is doing concerning resiliency. The County isn't doing a study. However, the two cities and the County agreed to coordinate on resiliency issues. At the Commission's May 3<sup>rd</sup> meeting, the Public Works Director provided a report on the City's resiliency study. This topic will be deleted from this Report.
  - b. Mobility: In March, the Public Works Director contacted St. Augustine for information about its mobility projects. The response was an executive summary of St. Augustine's mobility initiatives. It was forwarded to our City Commission. Our City's staff met with St. Augustine's to discuss our City supporting the following: St. Augustine's request to use our city hall parking lot as a park-and-ride location for events happening in downtown St. Augustine; and the River-to-Sea Loop bike/pedestrian trail that will go through the State Park and connect both cities. Also, St. Augustine's staff wants to discuss a potential bike-share program and possibly locate a hub in our City. St. Augustine's Public Works Director, Reuben Franklin, presented his city's mobility plan at the SAB City Commission meeting on August 11<sup>th</sup>.
  - c. River-to-Sea Loop: This is a Florida Department of Transportation, St. Johns County, St. Augustine, and St. Augustine Beach project to construct 26 miles of a paved bike/pedestrian trail as part of the 260-mile trail from the St. Johns River in Putnam County to the ocean in St. Johns County. The Loop will then go south through Flagler and Volusia counties to Brevard County. This is a long-term, multi-year project. At this time, the Loop will enter St. Augustine along King Street, go across the Bridge of Lions, south along State Road A1A to the State Park, through the Park and into our City, then along A1A Beach Boulevard to State Road A1A. Though possibly not feasible in all locations, the goal is to have a wide, bike/pedestrian trail separate from the adjacent road.

- d. **Transportation Development Plan:** The development of the plan involves several agencies, such as the County, St. Augustine, our City, the North Florida Transportation Organization, and the Sunshine Bus System. On February 25<sup>th</sup>, the City Manager attended by telephone a stakeholders' meeting for an update on the development of the plan's vision, mission goals and objectives. Most of the presentation was data, such as population density, percentage of residents without vehicles, senior citizens and low income and minority residents in the County and the areas served by the Sunshine Bus. The next stakeholders' meeting has yet to be announced. The agenda will include transit strategies and alternatives and a 10-year implementation plan.
  - e. **North Anastasia Island Nature Trail.** The City Manager proposes this as an intergovernmental project that would include the County, St. Augustine, and St. Augustine Beach. It would be an off-shoot of the River-to-Sea Loop and could include the State Park, the City's Ocean Hammock and Hammock Dunes parks, St. Augustine's Fish Island Park, and the City's Mizell Road retention pond and the 10-acre conservation area west of the pond that the City owns. Combined with the River-to-Sea Loop, this Nature Trail would make accessible to the public natural areas of Anastasia Island and provide a combined bicycling/walking trail for exercise and recreation.
  - f. **Pedestrian Crosswalk Safety Signals.** The County's study of the A1A Beach Boulevard crosswalks has been completed. City Commissioner Rumrell and County and City staff met to review it on July 9<sup>th</sup>. The study shows that over all the current crosswalk system is working well and only needs some minor changes. The consultant will fine tune the report and most likely will have the final draft done by the end of August 2021. It may be presented to the Commission at the October 4<sup>th</sup> meeting.
21. **AMERICAN RESCUE PLAN ACT.** This was passed by Congress and approved by President Biden in February and March 2021. It will provide money to states, cities and counties to help them recover from the pandemic's effects. Our City is eligible to receive \$3.5 million. However, the money can be spent only for allowable projects and will be provided to small Florida cities through the state of Florida. On May 10<sup>th</sup>, the U.S. Treasury Department issued guidelines. Drainage projects appear to be eligible for money from the Plan. The City staff will prepare a list of projects for the Commission's review. Money from the Act has to be spent or committed to specific projects by December 31, 2024, and spent by December 2026. As of the end of August, the agreement with the State has been signed by the Mayor. The City may receive the first of two payments of ARPA money in September.
22. **UNDERGROUNDING OF UTILITIES.** At its May 3, 2021, meeting, Commission George ask for Commission support to have Florida Power and Light come to a meeting to discuss the undergrounding project. The City Manager contacted Florida Power and Light, which owns the electric lines, about meeting to discuss the preparation of a presentation concerning costs and scope of work. City staff met with FPL staff on May 25<sup>th</sup> to discuss the preliminary steps, one of the first of which will be to provide FPL a list of the areas where the City proposes the lines be put underground. The City staff will prepare the list and the company will then provide a preliminary estimate of the costs to do the project. This information will be presented to the Commission for a decision on the next step.